



**BOARD OF BEHAVIORAL SCIENCES**  
1625 N. Market Blvd., Suite S-200, Sacramento, CA 95834  
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## MEETING NOTICE

### **Policy and Advocacy Committee September 27, 2006**

1625 N. Market Boulevard, El Dorado Room  
Sacramento, CA 95834

**9:30 a.m. – 3:00 p.m.**

- I. Introductions
- II. Review and Approval of June 26, 2006 Committee Meeting Minutes
- III. Strategic Plan Goal #4 – Report on Progress
  - A. Objective 4.1 -- Participate in 15 public policy forums throughout the State addressing access to mental health services by June 30, 2010.
  - B. Objective 4.2 -- Develop 4 proposals related to behavioral science licensing law that address delivery of services to consumers in light of demographic changes in both the general and licensee populations by December 31, 2007.
  - C. Objective 4.3 -- Advocate for 5 laws that expand access to mental health services by June 30, 2010.
- IV. Legislation Update
- V. Rulemaking Update
- VI. Discussion and Possible Action on Increasing Portability of Licensure for Marriage and Family Therapists
- VII. Revisions to Section 4980.90 Relating to Out-of-State Applicants for MFT Licensure
- VIII. Discussion and Possible Action to Alter License Delinquency Period
- IX. Discussion and Possible Action to Eliminate Extensions for Associate Clinical Social Worker Registrations
- X. Review of Suggestions from Diversity Conference
- XI. Strategic Plan Goals 2, 5 & 6 – Report on Progress\*

Goal 2: Build an excellent organization through effective leadership and professional staff.

- A. Objective 2.1 -- Meet 80% of training goals identified in IDPs by June 30, 2006.

- B. Objective 2.2 -- Reduce average application processing time by 33% by December 30, 2006.
- C. Objective 2.3 -- Increase staff training hours by 15% by June 30, 2010.
- D. Objective 2.4 -- Joint participation by executive staff and board members in 20 external events (non-board meeting) by June 30, 2010.

Goal 5: Utilize technology to improve and expand services.

- A. Objective 5.1 -- Provide the ability to accept electronic payments by June 30, 2008.
- B. Objective 5.2 -- Process 70% of all renewal applications on-line by June 30, 2009.
- C. Objective 5.3 -- Process 33% of all new applications on-line by June 30, 2010.
- D. Objective 5.4 -- Provide the ability to check the status of all applications online by June 30, 2010.

Goal 6: Maximize the efficiency and effectiveness of the Board's resources.

- A. Objective 6.1 -- Increase licensing staff productivity 13% by June 30, 2010.
- B. Objective 6.2 -- Increase enforcement staff productivity in processing consumer complaints 29% by June 30, 2010.
- C. Objective 6.3 -- Increase examination staff productivity 15% by June 30, 2010.

XII. Budget Update\*

XIII. Discussion of Fee Reduction Alternatives and Funding for Loan Repayment Program\*

XIV. Suggestions for Future Agenda Items

*Public Comment on items of discussion will be taken during each item. Time limitations will be determined by the Chairperson. Items will be considered in the order listed. Times are approximate and subject to change. Action may be taken on any item listed on the Agenda.*

\* -- These items would ordinarily be considered by the Budget and Efficiency Committee. Due to the small number of board members currently appointed, they will be considered by this committee until sufficient board members are appointed to allow further appointments to the Budget and Efficiency Committee.

THIS AGENDA AS WELL AS BOARD MEETING MINUTES CAN BE FOUND ON THE BOARD OF BEHAVIORAL SCIENCES WEBSITE AT [www.bbs.ca.gov](http://www.bbs.ca.gov)

NOTICE: The meeting facilities are accessible to persons with disabilities. Please make requests for accommodations to the attention of Christina Kitamura at the Board of Behavioral Sciences, 1625 N. Market Boulevard, Suite S-200, Sacramento, CA 95834, or by phone at 916-574-7835, no later than one week prior to the meeting. If you have any questions please contact the Board at (916) 574-7830.



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## **Draft Meeting Minutes**

### **Policy and Advocacy Committee**

### **June 28, 2006**

Sheraton Gateway LAX  
6101 West Century Boulevard  
Los Angeles, CA 90045

Meeting called to order at 1:40 p.m.  
Roll was called and quorum established.

#### Committee Members Present:

Robert Gerst, Chair  
Karen Pines  
Ian Russ  
Peter Manoleas

#### Staff present:

Paul Riches  
Mona Maggio  
Kari Frank  
George Ritter

### **II. Review and Approval of January 20, 2006 Committee Meeting Minutes**

Moved by Dr. Ian Russ  
Seconded by Karen Pines

### **III. Review and Approval of April 19, 2006 Committee Meeting Minutes**

Moved by Peter Manoleas  
Seconded by Karen Pines

### **IV. Strategic Plan Goal #4 – Report on Progress**

Mr. Riches provided an update on the report contained in the committee materials.

Mr. Riches identified board staff and members who are participating on the different workforce groups established by the Mental Health Services Act Advisory Committee on Workforce and Training.

Ms. Olivia Loewy, representing the American Association of Marriage and Family Therapists California Division (AAMFT), identified some of the audience members who are also participating on workforce groups.

Mr. Riches shared staff is currently reviewing the results of the brainstorming session at the diversity conference. Staff is currently identifying those areas that are already being worked on by staff, as well as reviewing the suggestions for new lines of inquiry by the board.

Mr. Riches indicated that staff is moving forward on the licensee demographics survey authorized at the February 2006 board meeting. A target date for circulation is late July early August.

## **V. Review and Possible Action on Pending Legislation**

Mr. Riches provided current status of pending legislation.

Senate Bill 1475 contains the reorganization provisions relating the educational psychology and board administration sponsored by the board. The bill also includes the provisions sponsored by the board to increase the portability of licensure for clinical social workers.

Mr. Riches indicated that the board sponsored reorganization of the marriage and family therapist statutes was based on objections from the California Association of Marriage and Family Therapists (CAMFT). Mr. Riches indicated that subsequent discussions with CAMFT have started a process to proceed with consideration of substantive statutory changes on a item by item basis. Some of these items have begun to be considered by board committees. Mr. Manoleas asked Ms. Riemersma, representing the CAMFT, if this process was proceeding satisfactorily. Ms. Riemersma indicated that is was.

Mr. Gerst requested staff provide the board with a summary of changes to board sponsored provisions in Senate Bill 1475 made by the Legislative Counsel. Mr. Riches indicated that the information would be provided to the board members at the July board meeting.

AB 1852 passed Senate Business and Professions Committee on Monday, June 26, 2006 and will be referred to the Senate Appropriations Committee. The California Psychological Association added amendments to include pre-license "registrants" as being eligible for the loan repayment program.

SB 1476 provisions to defer the Board's and many other DCA boards sunset dates for one additional year July 1, 2009.

Mr. Riches indicated that, due to staff error, the board neglected to consider a committee recommendation to support Assembly Bill 525 at the May board meeting. The bill and a current analysis was provided in the meeting materials. Ms. Reimersma provided a summary of the bill and indicated that CAMFT is the sponsor of Assembly Bill 525.

*The committee recommended that the board support AB 525.*

## **VI. Update on Rulemaking Activity.**

Board adopted amendments to 16CCR1886.40 which allow fines of up to \$5,000 were submitted to the Office of Administrative Law last week and should be approved mid August and become effective in September.

The Board will consider amendments to 16CCR1803 regarding delegation to the executive officer are pending and a regulation hearing will be conducted at the July Board Meeting.

## **VII. Discussion and Possible Action on Increasing Transparency of Licensure for Marriage and Family Therapists.**

Mr. Riches provided a summary of existing law for individuals seeking licensure as a marriage and family therapist in California based on education, experience and licensure in other states.

Ms. Loewy outlined the request from AAMFT for the board to investigate this issue. The focus of the request is to remove the barriers to California licensure for experienced licensees in other states.

Mr. Russ pointed out that there will be more challenges regarding portability of licenses for marriage and family therapists than for clinical social workers because marriage and family therapy does not have a uniform national accrediting system for degree programs.

Mr. Manoleas suggested that the board should investigate a system like that at the Board of Registered Nursing that allows out-of-state licensees to work in shortage areas while getting licensed in California.

Ms. Riemersma indicated that existing law is appropriate regarding out-of-state applicants. Portability of license must have some standardization across the states. Concerned with licensees not meeting California standards. Would be a disservice to California licensees and consumers.

A member of the audience indicated that the board should recognize schools accredited by the Commission on Marriage and Family Therapy Education. The same member of the audience indicated that she was required to complete a credit level course in law and ethics when a continuing education course would have sufficed.

Mr. Riches indicated that the most common deficiencies for out-of-state applicants are the law and ethics course and the requirement to complete 250 hours of supervised experience as a marriage and family therapist intern. Any changes to requirements for licensure would require statutory change.

Ms. Riemersma indicated that knowledge of California law is critical. Given the presence of 80 marriage and family therapy programs in California it shouldn't be that difficult for an individual to find and complete a credit level law and ethics course.

Ms. Loewy stated her appreciation for the Board's work however, in her opinion it does not accurately reflect the varied requirements for supervised experience in other states. States do not treat experience requirements equally. Some states count total supervised hours while others only count direct client contact hours and some are a blend of both. In addition, the staff report suggests a high variability in degrees that is not a fair indicator of educational requirements.

Mr. Gerst asked AAMFT to submit a written request for particular statutory or regulatory changes the organization would advocate.

#### **VIII. Review and Possible Action on Draft Regulations Related to Supervisor Qualifications [16CCR1833.3 & 16CCR1870].**

Mr. Riches summarized the information in the meeting materials relating to regulation sections 1833.1 and 1870. Concern was expressed at the last board meeting that deleting the 5 hour patient contact requirement would undermine the quality of supervision.

Ms. Riemersma stated that providing supervision is providing therapy vicariously and that supervision is substantial portion of individual careers as therapists. Being a supervisor maintains the skills and knowledge required to practice effectively.

Mr. Russ expressed concern that recently licensed individuals may not be effective supervisors as they may not have sufficient practice experience.

Ms. Pines concurred with Mr. Russ' concern and suggested that the committee consider lifting the client contact requirement after 5 years of licensure.

Ms. Riemersma stated that the board's recent supervision survey showed individuals were satisfied with the supervision they received. The key to effective supervision is having recent relevant practice experience, but that is difficult to codify in an enforceable law.

Mr. Manoleas suggested that a longer period of practice might be required before becoming eligible to supervise interns and associates.

Mr. Russ indicated that the survey results were discussed at the Consortium meeting and the findings were that the survey was completed by interns and what it possibly showed was that interns liked their supervisors. However, the survey results do not establish whether they received good supervision.

Mr. Janlee Wong, representing the National Association of Social Workers California Chapter, expressed concern about basing policy anecdotal information and questioned whether there is any reliable information to demonstrate a problem.

Mr. Russ stated that service agencies, insurance companies, and third party payers would be a control on quality and that the standards for supervising marriage and family therapist interns and associate clinical social workers should be equivalent.

Ms. Carla Cross said a service agency is not going to permit an unqualified licensee to provide supervision and that it is doubtful that a licensee could build their career by being a supervisor only.

Ms. Loewy and Ms. Riemersma explained the requirements of the AAMFT and CAMFT supervisor certification programs.

*The committee recommended that the board adopt the language presented to the board at the May 2006 meeting.*

## **IX. Review and Discussion Regarding the Reporting of Malpractice Judgments, Settlements, and Arbitrations**

The committee reviewed the materials provided outlining the need to communicate malpractice settlement and arbitration results to the board.

## **X. Review and Possible Action on Technical Regulation Cleanup Related to LEP and Board Administration Statutory Changes.**

Mr. Riches provided a summary of the meeting material on the draft regulations. The changes primarily relate to eliminating grandparenting provisions adopted when the educational psychology license was first established in the early 1970s.

*The committee recommended that the board proceed with the suggested clean-up regulations.*

## **XI. Review and Possible Action on Regulations Regarding Abandonment of Application Files (16CCR1806 & 1833.3).**

Mr. Riches provided a summary of the meeting material on the draft regulations. The proposal would realign the abandonment provisions to eliminate confusion regarding timeframes for taking the examinations.

Ms. Riemersma indicated that the language in subdivision (c) of Section 1806 was confusing and needed clarification.

Mr. Riches concurred and indicated that staff would work on a clarification.

*The committee recommended that the board pursue a regulation to clarify the rules on abandoning applications.*

## **XII. Suggestions for Future Agenda Items.**

Ms. Riemersma requested that the board consider reinstituting the oral examination for licensure.

Mr. Wong requested that the board evaluate the possibility of including video vignettes in the licensing examinations.

**State of California  
Board of Behavioral Sciences**

**Memorandum**

To: Policy and Advocacy Committee

Date: September 19, 2006

From: Paul Riches  
Executive Officer

Telephone: (916) 574-7840

**Subject: III. Strategic Plan Update**

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Background

The board formally adopted the new strategic plan at its November 2005 meeting. As part of the implementation of the strategic plan, each committee will receive a progress update on the strategic objectives under its jurisdiction. This regular exchange of information provided will provide mutual accountability between staff and board members in accomplishing our shared objectives.

Update on Objectives

Objective 4.1 -- Participate in 15 public policy forums throughout the State addressing access to mental health services by June 30, 2010.

On March 23-24, 2006 Mr. Riches attended the meeting of the Mental Health Services Oversight and Accountability Commission in Sacramento (commission). The commission is responsible for oversight of the Mental Health Services Act (Proposition 63). The meeting included organizational matters for the commission and presentations on prevention and early intervention in mental illness which is a major focus of Proposition 63.

The board will be actively participating with the MHSA Education and Training initiative. This initiative will be developing the plan for spending MHSA revenues dedicated to building the mental health workforce. This initiative has an advisory group (where the board is represented by Peter Manoleas) which has formed nine workgroups to write elements of the plan. The board is actively participating in the following workgroups:

1. Needs Assessment [Mona Maggio]
  6. Distance Learning [Christy Berger]
  8. Post Secondary Education and Training [Judy Johnson]
  9. Licensing and Certification [Paul Riches]
- On June 12, 2006 Ms. Maggio attended the initiative's Needs Assessment workgroup.
  - On June 28, 2006 Ms. Berger will attend the Distance Learning workgroup.
  - On July 6, 2006, Ms. Johnson will attend the Post-Secondary Education/Training workgroup.
  - On July 12, 2006, Mr. Riches will attend the Licensing and Certification workgroup.
  - On July 19, 2006, Mr. Manoleas attended the Advisory Committee meeting.
  - On August 10, 2006 Ms. Maggio attended the Needs Assessment workgroup meeting.



- On September 6, 2006 Mr. Riches attended the Licensing and Certification workgroup.

These workgroups will be conducting meetings on an ongoing basis to develop the draft plan.

Mr. Riches has been invited to participate with two workgroups established by the California Social Work Education Center (CalSWEC) regarding implementation of the MHSA and Workforce development on September 28, 2006.

Objective 4.2 -- Develop 4 proposals related to behavioral science licensing law that address delivery of services to consumers in light of demographic changes in both the general and licensee populations by December 31, 2007.

A board sponsored conference on diversity issues in professional licensing will be held on Friday, April 28 in Sacramento. The conference will feature state and national experts in demography and cultural competence in mental health care as well as working sessions designed to provide feedback and suggestions for the board's consideration. A report on the conference was provided at the May 18-19, 2006 board meeting. Staff is working through suggestions from that conference to begin developing proposals for board committees to consider.

A demographic survey of board licensees and registrants has been developed and will be in circulation in the coming weeks. The survey will provide the board with demographic information that will be important in its deliberations on this subject.

Objective 4.3 -- Advocate for 5 laws that expand access to mental health services by June 30, 2010.

No action to report.

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State of California  
Board of Behavioral Sciences

## Memorandum

**To:** Policy and Advocacy Committee

**Date:** September 19, 2006

**From:** Christy Berger  
Legislation Analyst

**Telephone:** (916) 574-7847

**Subject:** IV. Legislation Update

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### Board-Sponsored Legislation

#### ***SB 1475 (Figueroa) Reorganization of LEP and Administration Statutes***

This bill would reorganize and revise the Board's Administration statutes for clarity, remove obsolete provisions, and make some minor refinements. This bill would also reorganize and revise the Licensed Educational Psychologist (LEP) statutes to remove obsolete provisions, modernize statutes relating to licensure, scope of practice, continuing education, and enforcement, and would create better consistency with the Board's other practice acts. This bill would also facilitate transparency of licensure for out-of-state Licensed Clinical Social Workers. This bill is awaiting signature by the Governor.

#### ***AB 1852 (Yee) Licensed Mental Health Service Provider Education Program***

This bill would make marriage and family therapist interns (MFT interns) and associate clinical social workers (ASW) eligible for educational loan repayment from the Licensed Mental Health Service Provider Education Program (Program). This bill would also provide technical cleanup of the Program's statute. This bill is awaiting signature by the Governor.

Staff has learned that Robin Boyer, the Executive Director of the Office of Statewide Health Planning and Development's (OSHPD) Health Professions Foundation is no longer with the Foundation. An Interim Executive Director, Brenda Russell, has been named. Staff has been attempting to contact the Foundation to ensure other needed changes are put in place, but with no success.

### Update on Other 2006 Legislation

#### ***AB 525 (Chu) Child Abuse Reporting***

Current law authorizes but does not require the reporting of instances where a child suffers or is at substantial risk of suffering serious emotional damage ("emotional abuse"). This bill sponsored by the California Association of Marriage and Family Therapists (CAMFT), and supported by the Board would:

- Amend several provisions of the Child Abuse and Neglect Reporting Act to clarify that "emotional abuse" may be reported, but is not required to be reported.
- Clarify that confidentiality protections for mandated reporters also apply to mandated reporters who report "emotional abuse."
- Permit mandated reporters who report "emotional abuse" to receive the same feedback as they would when making a mandated report of child abuse upon a final disposition of a case.

- Conform the procedures for reporting of “emotional abuse” to certain existing procedures applicable to mandated reporting.

This bill is awaiting signature by the governor.

**AB 2283 (Oropeza) *Physicians and Surgeons: Cultural Background and Foreign Language Proficiency***

Physicians are currently permitted to report information regarding their cultural background and foreign language proficiency at the time of license renewal to the Medical Board of California (MBC). This bill would require the MBC to aggregate this information and report it on their website, making it more accessible to consumers. The Board voted to support this bill, which is awaiting signature by the Governor.

**AB 3013 (Koretz) *Medical Information: Disclosures***

This bill would strengthen patient confidentiality laws by conforming California law to provisions of HIPAA which limit the release of patient information, provide the patient the opportunity to prohibit such a release, and permit the health care provider to make judgments regarding releases in emergency situations. The Board voted to support this bill, which is awaiting signature by the Governor. Should this bill pass, it will take effect January 1, 2007.

**SB 1476 (Figueroa) *BBS Sunset***

This bill would extend the Board’s sunset date by one year to July 1, 2009. It is awaiting signature by the Governor. Should this bill pass, it will take effect January 1, 2007.

Board-Proposals for 2007

- Award licensees with CE credit for attending a Board meeting (approved at July 2006 board meeting)
- Restructure and make technical revisions to fee- and renewal-related statutes (approved at July 2006 board meeting)
- Fictitious business names for LCSWs (approved at February 2006 board meeting)

**State of California  
Board of Behavioral Sciences**

**M e m o r a n d u m**

**To:** Policy and Advocacy Committee

**Date:** September 14, 2006

**From:** Justin Sotelo  
Regulations Analyst

**Telephone:** (916) 574-7836

**Subject: Rulemaking Update**

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Following is the status of regulatory changes proposed by the Board:

*Title 16, CCR Section 1886.40, Citations and Fines*

The purpose of this regulatory proposal was to provide the Board with the authority to issue fines between \$2,501 and \$5,000 for specified "citable offenses" or violations of the statutes and regulations enforced by the Board. The final rulemaking packet was filed with the Office of Administrative Law (OAL) on June 27, 2006 and was approved. The regulatory changes became effective on September 3, 2006.

*Title 16, CCR Section 1803, Delegation of Authority to the Executive Officer*

This proposal would allow the Board's executive officer to sign orders to compel a physical or mental evaluation of a Board licensee or registrant as part of an investigation of a complaint. A regulatory hearing is scheduled for October 4, 2006.

*Title 16, CCR Sections 1833.1 and 1870, Supervisor Qualifications*

Supervisors of registrants are currently required to have practiced psychotherapy for two out of the five years preceding any supervision. This proposal would allow supervisors to count time spent directly supervising persons who perform psychotherapy toward this requirement and delete the requirement that supervisors of MFT Interns and Trainees average 5 hours of client contact per week for two out of the five years prior to supervising. At its April 19, 2006 meeting, the Board's Policy and Advocacy Committee voted to recommend this language to the Board. The Board reviewed the proposal at its May 18, 2006 meeting and sent it back to the Committee for further work. At its June 28, 2006 meeting, the Committee recommended to the Board that the original language of the proposal be retained and additionally recommended to delete the requirement that supervisors of MFT Interns average 5 hours of client contact per week for two out of the five years prior to supervising. The Board approved this proposal at its meeting on July 27, 2006. Staff has completed the necessary documents in order to have the notice published on September 29, 2006 and schedule the regulatory hearing for November 16, 2006.

*Title 16, CCR, Technical Cleanup - Licensed Educational Psychologists and Board Administration*

This proposal would make technical and editorial changes to the Board's regulations in line with statutory changes proposed under SB 1475 to update the Licensed Educational Psychologist and Board administration statutes. At its June 28, 2006 meeting, the Board's Policy and Advocacy Committee recommended that the Board adopt these proposed regulations. The Board approved this proposal at its meeting on July 27, 2006. Staff has completed the necessary documents in order to have the notice published on September 29, 2006 and schedule the regulatory hearing for November 16, 2006.

*Title 16, CCR Sections 1806 and 1833.3, Abandonment of Application Files*

Section 1806 currently requires candidates to take an examination within one year of notification of eligibility to take the examination. Section 1833.3 currently requires applicants who fail an examination to retake that examination within one year from the date of the failure. However, candidates who fail are provided with a notice of eligibility 180 days from the date of failure, so both sections apply and reflect two different time frames. This regulatory proposal would resolve the conflict between these two regulations, providing all candidates with a one-year period in which to take an examination to avoid abandonment of their application. At its June 28, 2006 meeting, the Board's Policy and Advocacy Committee recommended that the Board adopt these proposed regulations. The Board approved this proposal at its meeting on July 27, 2006. Staff has completed the necessary documents in order to have the notice published on September 29, 2006 and schedule the regulatory hearing for November 16, 2006.

*Title 16, CCR, Sections 1816.7 and 1887.7, Delinquency Fees for Continuing Education Providers*

This proposal would allow a registered provider of continuing education (PCE) a period of two years from the registration's expiration date in order to renew an expired PCE registration with a \$100 delinquency fee. Currently, when a PCE does not renew the registration prior to its expiration date, the registration is cancelled and a new registration must be obtained. At its June 21, 2006 meeting, the Board's Budget and Efficiency Committee recommended that the Board adopt these proposed regulations. The Board approved this proposal at its meeting on July 27, 2006. Staff has completed the necessary documents in order to have the notice published on September 29, 2006 and schedule the regulatory hearing for November 16, 2006.

*Title 16, CCR, Fees*

This proposal would make technical changes to the Board's regulations regarding fees. These changes would conform the Board's regulations to the non-substantive statutory changes the Budget and Efficiency Committee is recommending to the Board regarding fees, renewals, and inactive licenses. At its June 28, 2006 meeting, the Board's Policy and Advocacy Committee recommended that the Board adopt these proposed regulations. The Board approved this proposal at its meeting on July 27, 2006. Staff has completed the necessary documents in order to have the notice published on September 29, 2006 and schedule the regulatory hearing for November 16, 2006.

*Title 16, CCR, Sections 1887(b), 1887.2(a), and 1887.3(a) Continuing Education*

Licensees are currently permitted to take an unlimited amount of continuing education (CE) by conventional or online means. However, hours earned through "self-study" courses are limited to one-third of the total required CE hours. This proposal would delete the definition of a self-study course and delete the limitations regarding hours of self-study. The Consumer Protection Committee will be considering this proposal at its September 20, 2006 meeting.

*Title 16, CCR Section 1886, Citation and Fine of Continuing Education Providers*

This proposal would provide the Board with the authority to issue a citation and fine to a continuing education provider. This proposal is currently on hold due to staff workload considerations.

State of California  
Board of Behavioral Sciences

## Memorandum

**To:** Policy and Advocacy Committee  
**From:** Christy Berger  
Legislation Analyst  
**Date:** September 15, 2006  
**Telephone:** (916) 574-7847  
**Subject:** VI. Discussion and Possible Action on Increasing Transparency of Licensure for Marriage and Family Therapists.

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### Background

At its April 2006 meeting, the Policy and Advocacy Committee recommended language to the Board designed to improve transparency of licensure for out-of-state licensed clinical social workers. The Board approved this language at its May 2006 meeting and the legislation, if signed by the Governor as expected, would take effect January 1, 2007. At the May 2006 Board meeting, Olivia Loewy, Executive Director of the American Association of Marriage and Family Therapists (AAMFT) California Division requested the same be done for Marriage and Family Therapists (MFT).

The Board agreed to place this topic on the agenda for the June 2006 Policy and Advocacy Committee meeting. For the meeting of the Committee, staff prepared a report regarding MFT licensure requirements across the country, which showed the variations in experience and educational requirements. AAMFT disagreed with these aspects of the report, feeling that it did not accurately characterize the educational or post-degree experience requirements of other states. The Committee asked AAMFT to bring forth a specific proposal for statutory or regulatory changes that they would support.

### Discussion

#### *Current Requirements for Licensure of Out-of-State Licensed MFTs:*

1. Has held a valid license as an MFT in another state for at least two years.
  - If **not** licensed for at least two years, must register as an MFT Intern and complete 250 hours of supervised experience in California.
2. Supervised experience must be substantially equivalent and must be completed within the six years prior to application.
3. Pass both the standard written and clinical vignette examinations
4. Education must be substantially equivalent, meaning:
  - A single integrated program primarily designed to train MFTs.
  - Contains virtually the same content required of California MFT programs.
  - Degree title and number of units need not be identical, but if short units need to make up.
5. Complete additional required coursework such as California Law and Ethics, Human Sexuality, Psychological Testing, etc.
6. The Board may deny any application for denial, revocation, suspension, restriction, or any other disciplinary action imposed by any governmental agency on a license, certificate or registration to practice marriage and family therapy or any other healing art.

## *AAMFT-CA Proposal*

On August 25, 2006, the Board received a proposal from AAMFT-CA that recommends specific requirements for applicants who hold a clinical MFT license in another state. This proposal would:

1. Permit a MFT licensed in another state who has applied for MFT licensure in California to practice as an MFT in California for a 180-day period beginning on the date the application is submitted to the Board or on the date he or she commences residency in California, whichever occurs first.

**Comment:** This item is troubling in terms of consumer protection. It would potentially allow a person who has had disciplinary action on a license issued by another state to practice in California for six months. It would also allow practice by a small number of people who may not be able to pass California's licensing examinations. The ability to temporarily practice in California would be of little use to a person who does not then pass either of the examinations. An applicant would be better off registering as an MFT Intern while awaiting licensure, an option currently available.

2. Require the Board to issue a MFT license to any person who meets all of the following:

- a. Has held a valid, active clinical license issued by a MFT regulatory board or corresponding authority of any state.

**Comment:** The LCSW proposal requires the applicant to hold a license for at least **four** years or have substantially equivalent experience.

- b. If **not** licensed for at least two years must have supervised experience that is substantially equivalent to that required of in-state applicants. If the applicant has less than 3000 hours of qualifying experience, time actively licensed as a MFT would be accepted at a rate of 100 hours per month up to a maximum of 1200 hours. Supervised experience is not considered for those licensed for two years or more.

**Comment:** Those **not** licensed for at least two years would **not** have to register as an intern nor gain hours of experience in California. The applicant would be permitted to count a portion of time licensed toward a portion of the experience requirement. The terms are nearly identical to the LCSW proposal. Post-degree clinical experience requirements are similar from one state to another, though the total number of hours required (including administrative and other activities) may vary considerably.

- c. Passes the board-administered licensing examinations.
- d. Education not required to be substantially equivalent, and would no longer be evaluated.

**Comment:** MFT educational requirements are similar around the country, though the number of total units from one program/state to another may vary.

- e. Completes the following coursework or training in or out of state, whether as a separate course or in fulfillment of other licensure requirements:
  - California law and ethics: 15 hours (instead of two units) and would be permitted to be taken outside of California
  - Child abuse assessment and reporting: Seven hours
  - Human sexuality: 10 hours

- Alcoholism and other chemical substance dependency: 15 hours
- Spousal or partner abuse: 15 hours
- Psychological testing: 30 hours (instead of two units)
- Psychopharmacology: 30 hours (instead of two units)

**Comment:** These are the same as the currently required courses. It is likely that the California law and ethics course would only rarely be offered outside of California. The larger concerns are the reduction in hours for this course (two semester units equals at least 32 hours of classroom time, a reduction of 17 hours). Another concern is that this course, as well as the Psychological testing and Psychopharmacology courses would not have to be taken from an educational institution.

- f. The applicant's license is not suspended, revoked, restricted, sanctioned, voluntarily surrendered, or the subject of a pending complaint in any state. The applicant is not subject to denial of licensure under current Board statutes.

**Comment:** Information regarding voluntary surrenders and pending complaints would be additional safeguards not in current law.

#### Attachment

Proposal to Increase Transparency from AAMFT-CA



# ATTACHMENT

Agenda Item VI.

Discussion and Possible Action on Increasing  
Portability of Licensure for MFTs

**AAMFT-CA Proposal**

# **PROPOSAL TO INCREASE TRANSPARENCY FOR OUT-OF-STATE APPLICANTS FOR MARRIAGE AND FAMILY THERAPIST LICENSURE**

**August 25, 2006**

## **Introduction**

The California Division of the American Association for Marriage and Family Therapy (AAMFT-CA) is requesting that the Board of Behavioral Sciences provide greater transparency of licensure for marriage and family therapists (MFTs) by revisiting the process for acceptance of out-of-state licensure applicants. This issue was brought to the BBS in May 2006, and a report by staff was reviewed at the June 28 Policy and Advocacy Committee meeting. This memo was prepared at the request of the Committee to provide more details and recommendations.

## **Background**

When an individual who is licensed as a Marriage and Family Therapist in another state wishes to become licensed in California, uniform qualifications must be met, regardless of how long she or he has been licensed in another state. These requirements can discourage experienced MFTs from seeking licensure in CA or unnecessarily delay individuals who are determined to proceed with the process. Based on anecdotal reports we have received, it is not unusual for these coursework requirements to create added delays of a year or more in the licensure process, even among well-qualified, seasoned therapists.

While it is critical that all clinicians granted licensure by the BBS meet predetermined qualifications to ensure competency to practice in California, existing statutes and regulations do not provide optimal discriminatory guidelines. At a time when the California mental health system is experiencing a severe shortage in the provider workforce, requirements that substantially delay the ability of qualified, licensed therapists to practice in our state are a disservice to the public.

According to a 2003 study entitled "The Mental Health Workforce: Who's Meeting California's Needs," the demand for mental health professionals in California is expected to rise by as much as 30 percent within the decade, and there may not be enough workers to fill the need. The California Mental Health Planning Council (CMHPC) concluded that "county-operated mental health programs have very serious problems filling vacancies at all levels of skill and specialty in each of its systems of care." Vacancies for licensed MFTs ranged as high as 60% in some systems of care.

## **Recommendations**

The AAMFT-CA believes that the existing statutes and regulations for out-of-state Marriage and Family Therapists may be excessively restrictive and should be modified to provide greater transparency while ensuring clinical competence. The AAMFT-CA recommends that the Board issue a California license to any person who has held a valid, active clinical license issued by a marriage and family therapy regulatory board, or

corresponding authority of any state; passes the board administered licensing examinations; pays the specified fees; and meets the following requirements:

### Experience

The applicant has held a valid, active MFT license for at least two years or has supervised experience that is substantially the equivalent to that required by Business and Professions Code Chapter 13. If the applicant has less than 3000 hours of qualifying supervised experience, we recommend accepting time actively licensed as a marriage and family therapist at a rate of 100 hours per month up to a maximum of 1200 hours.

### Coursework or Training

Completion of the following coursework or training in or out of state, whether as a separate course or in fulfillment of other licensure requirements:

- a) A minimum of 15 contact hours of training or coursework in California law and professional ethics
- b) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting
- c) A minimum of 10 contact hours of training or coursework in human sexuality
- d) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency
- e) A minimum of 15 contact hours of training or coursework in spousal or partner abuse assessment, detection, and intervention strategies
- f) A minimum of 30 contact hours of training or coursework in psychopharmacology
- g) A minimum of 30 contact hours of training or coursework in psychological testing
- h) A two semester or three quarter unit course in professional ethics for marriage and family therapists.

### Temporary Practice

Out-of-state applicants for a marriage and family therapy license are authorized to practice marriage and family therapy for no more than 180 days while the license is being evaluated.

### Licensure Status

Review of the applicant's license to ensure that:

- a) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.
- b) The applicant's license is not the subject of a pending complaint in any state.
- c) The applicant provides a certification, pertaining to licensure, disciplinary action, and complaints pending, from each state where he or she holds a license.

- d) The applicant is not subject to denial of licensure under sections 4992.3 or 4992.35 of the Board of Behavioral Sciences Statutes and Regulations.

### **Summary**

The AAMFT-CA has presented, for the Board's consideration, recommendations to provide greater transparency for out-of-state MFTs who are seeking licensure in California. AAMFT-CA appreciates the responsiveness and efforts of the California BBS in relation to our request. We welcome the opportunity to engage in an ongoing process to achieve the benefits that can be gained through utilization of standards that are clear, uniformly applied, and maintain a high degree of consumer protection.

For additional information, questions or comments, please contact AAMFT-CA Division Executive Director, Olivia Loewy: [olivialoewy@aamftca.org](mailto:olivialoewy@aamftca.org) or Legislative Committee Chair Benjamin Caldwell: [bcaldwell@alliant.edu](mailto:bcaldwell@alliant.edu).

## Attachment 1

Amend Business and Professions Code Chapter 13, Sections 4980.80 and 4980.90 as follows:

### **§4980.80. RECIPROCITY; EQUIVALENT REQUIREMENTS; PAYMENT OF FEES; FURTHER CONDITIONS**

The board may issue a license to any person who, at the time of application, has held ~~for at least two years~~ a valid, active marriage and family therapist license issued by a board of ~~marriage counselor examiners,~~ marriage and family therapist examiners, or corresponding authority of any state, if ~~the education and supervised experience requirements are substantially the equivalent of this chapter and the person successfully completes~~ passes the board administered licensing examinations as specified by subdivision (g) of Section 4980.40 and pays the fees specified. Issuance of the license is further conditioned upon ~~the person's completion of the following coursework or training all of the following:~~

- (a) (1) The applicant, at the time of application, has held a valid, active marriage and family therapist license for a minimum of two years, issued by a board of marriage and family therapist examiners or a corresponding authority of any state, or

(2) The applicant has supervised experience that is substantially the equivalent of that required by this chapter. If the applicant has less than 3000 hours of qualifying supervised experience, time actively licensed as a marriage and family therapist shall be accepted at a rate of 100 hours per month up to a maximum of 1200 hours.

- (b) Completion of the following coursework or training, whether as a separate course or in fulfillment of other requirements for licensure, in or out of this state:

~~(a)-(1) A two semester or three quarter unit course~~ A minimum of 15 contact hours of training or coursework in California law and professional ethics for marriage, family, and child counselors and family therapists that shall include areas of study as specified in Section 4980.41.

~~(b)-(2)~~ A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.

~~(c)-(3)~~ A minimum of 10 contact hours of training or coursework in human sexuality as specified in Section 25 and any regulations promulgated thereunder.

~~(d)-(4)~~ A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency as specified by regulation.

~~(e)-(1) Instruction in spousal or partner abuse assessment, detection, and intervention. This instruction may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

~~(2) On and after January 1, 2004, a~~ (5) A minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

~~(f) On and after January 1, 2003, a~~ (6) A minimum of 30 contact hours of training or coursework a two semester or three quarter unit survey course in psychological testing. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.

~~(g) On and after January 1, 2003, a~~ (7) A minimum of 30 contact hours of training or coursework a two semester or three quarter unit survey course in psychopharmacology. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.

~~(h) With respect to human sexuality, alcoholism and other chemical substance dependency, spousal or partner abuse assessment, detection, and intervention, psychological testing, and psychopharmacology, the board may accept training or coursework acquired out of state.~~

(c) The applicant's license is not suspended, revoked, restricted, sanctioned, or voluntarily surrendered in any state.

(d) The applicant's license is not the subject of a pending complaint in any state.

(e) The applicant provides a certification, pertaining to licensure, disciplinary action, and complaints pending, from each state where he or she holds a license.

(f) The applicant is not subject to denial of licensure under sections 480, 4992.3, 4992.35, or 4992.36.

#### **§4980.90. EXAMINATION; PERSONS WITH EDUCATION AND EXPERIENCE WHILE RESIDING OUTSIDE OF CALIFORNIA**

(a) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter ~~and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board.~~

~~(b)~~ (a) Education gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed all of the following: the training or coursework described in section 4980.80.

~~(1) A two semester or three quarter unit course in California law and professional ethics for marriage, family, and child counselors that shall include areas of study as specified in Section 4980.41.~~

~~(2) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.~~

~~(3) A minimum of 10 contact hours of training or coursework in sexuality as specified in Section 25 and any regulations promulgated thereunder.~~

~~(4) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency as specified by regulation.~~

~~(5) (A) Instruction in spousal or partner abuse assessment, detection, and intervention. This instruction may be taken either in fulfillment of other educational requirements for licensure or in a separate course.~~

~~(B) On and after January 1, 2004, a minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.~~

~~(6) On and after January 1, 2003, a minimum of a two semester or three quarter unit survey course in psychological testing. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

~~(7) On and after January 1, 2003, a minimum of a two semester or three quarter unit survey course in psychopharmacology. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.~~

~~(8) With respect to human sexuality, alcoholism and other chemical substance dependency, spousal or partner abuse assessment, detection, and intervention, psychological testing, and psychopharmacology, the board may accept training or coursework acquired out of state.~~

~~(e) (b) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant has been granted a degree in a single integrated program primarily designed to train marriage, family, and child counselors; marriage and family therapists; or the equivalent; and if the applicant's education meets the requirements of Sections 4980.37 and 4980.40. The degree title and number of units in the degree program need not be identical to those required by subdivision (a) of Section 4980.40. If the applicant's degree does not contain the number of units required by subdivision (a) of Section 4980.40, the board may, in its discretion, accept the applicant's education as substantially equivalent if the applicant's degree otherwise complies with this section and the applicant completes the units required by subdivision (a) of Section 4980.40.~~

## **New Section**

### **§4980.91. Temporary practice by out-of-state licensees**

A marriage and family therapist certified or licensed in another state who has made application to the board for a license in this state may perform activities and services of a marriage and family therapy nature without a valid license for a period not to exceed 180 calendar days from the time of submitting his or her application or from the commencement of residency in this state, whichever first occurs.

## Attachment 2

### Sample Statements of Concern

The following are excerpts from letters and messages received by AAMFT-CA demonstrating some of the challenges faced by out-of-state MFT licensure applicants.

#### Ben Lim, Ph.D.

*In 1989, I graduated with an MA in MFT from Fuller Theological Seminary, Pasadena, CA, an accredited program. In 2001, I earned my Ph D in MFT at Texas Tech University, a COAMFTE-accredited program. During my time in TX, I also obtained my AAMFT Approved Supervisor certification and was licensed as an MFT, in TX (LMFT No 4891). Now, I am teaching at an accredited MFT program and training and supervising future MFTs in California.*

*However, I am not able to practice or supervise students outside the confines of the university, such as when my students do their training in the school system, because of the non-reciprocity of my TX license in CA. I would like to help out with non-profit agencies and especially to work with non-profit organizations such as Survivors of Torture, San Diego Rescue Mission, etc., and to provide therapy to ethnic minorities and low income families. However, I am not able to use my skills and expertise since I am required to take many other required classes and to sit for the CA exams. Presently I have registered as an intern with BBS (IMF 49769).*

#### Teresa O'Neal-Payne, M.A., L.M.F.T.

*I have been a practicing MFT for 14 years in Washington. The licensing standards for Washington state and California are substantially equivalent. I will be moving to Southern California to be closer to my grandchildren, and would like to continue practicing as a Licensed Mental Health Provider in California. I was upset to learn that I would need to become a supervised intern again, and complete 250 client contact hours, and then I would need to take the MFT licensing exam.*

#### Don Welch, Ph.D.

*I am a native Californian, having originally moved to the Midwest to complete two masters degrees and a Ph.D. from the University of Kansas. Now that I have returned to California, it feels like I'm starting all over again even though I am a veteran therapist. After living in Kansas for twenty-two years, my family and I returned to California this past summer and we realized that I have four classes and two (state exams) to complete in order to receive California licensure. Since I meet the highest level of licensure expertise in Kansas and also am recognized by AAMFT as an approved supervisor, it's very frustrating and discouraging that there isn't reciprocity between Kansas and California.*

#### Rajeswari Natrajan, Ph.D.

*I graduated with a masters (2000) and Ph.D. (2004) in Marriage and Family Therapy from Purdue University. I am also licensed as a Marriage and Family Therapist in the*



*State of Indiana with six years post-masters clinical experience. Currently, I am an MFT faculty member at Alliant International University, Irvine. Since I moved to California, my mission has been to obtain my California MFT license. During the application process I found out that I have to first register as an intern and on top of that do more supervised clinical work in order to qualify for taking the MFT licensure exam. I find this unreasonable and quite demeaning.*

# Memorandum

**Telephone:** (916) 574-7847

- Notify each of its students in writing that its degree program is designed to meet the requirements of BPC Sections 4980.37 and 4980.40, and to certify to the board that it has so notified its students. (BPC § 4980.38)
- Provide students with a certification by the chief academic officer of the institution that the applicant has fulfilled certain requirements. (BPC § 4980.38)

- A non-accredited school would have to apply for an approval to operate in California from the Bureau for Private, Postsecondary and Vocational Education. This would require the school to maintain a California street address which is a primary administrative location and is the institution's principal place of business where records are kept. (BPC § 4980.40(a))

#### Recommendation

Staff recommends that the Board seek legislation to implement the proposed language which would ensure that MFT educational requirements are the same for everybody who completed their education while residing in California.

#### Attachments

Proposed Language

# ATTACHMENT

Agenda Item VII.

Revisions to Section 4980.90 Relating to Out-of-State Applicants for MFT Licensure

**Proposed Language**

**BOARD OF BEHAVIORAL SCIENCES**  
**PROPOSED LANGUAGE**  
**Out-of-State MFT Education**

*Amend § 4980.90 as follows:*

(a) Experience gained outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to that required by this chapter and if the applicant has gained a minimum of 250 hours of supervised experience in direct counseling within California while registered as an intern with the board.

(b) Education gained while residing outside of California shall be accepted toward the licensure requirements if it is substantially equivalent to the education requirements of this chapter, and if the applicant has completed all of the following:

(1) A two semester or three quarter unit course in California law and professional ethics for marriage, family, and child counselors that shall include areas of study as specified in Section 4980.41.

(2) A minimum of seven contact hours of training or coursework in child abuse assessment and reporting as specified in Section 28 and any regulations promulgated thereunder.

(3) A minimum of 10 contact hours of training or coursework in sexuality as specified in Section 25 and any regulations promulgated thereunder.

(4) A minimum of 15 contact hours of training or coursework in alcoholism and other chemical substance dependency as specified by regulation.

(5) (A) Instruction in spousal or partner abuse assessment, detection, and intervention. This instruction may be taken either in fulfillment of other educational requirements for licensure or in a separate course.

(B) On and after January 1, 2004, a minimum of 15 contact hours of coursework or training in spousal or partner abuse assessment, detection, and intervention strategies.

(6) On and after January 1, 2003, a minimum of a two semester or three quarter unit survey course in psychological testing. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.

(7) On and after January 1, 2003, a minimum of a two semester or three quarter unit survey course in psychopharmacology. This course may be taken either in fulfillment of other requirements for licensure or in a separate course.

(8) With respect to human sexuality, alcoholism and other chemical substance dependency, spousal or partner abuse assessment, detection, and intervention, psychological testing, and psychopharmacology, the board may accept training or coursework acquired out of state.

(c) For purposes of this section, the board may, in its discretion, accept education as substantially equivalent if the applicant has been granted a degree in a single integrated program primarily designed to train marriage, family, and child counselors and if the applicant's education meets the requirements of Sections 4980.37 and 4980.40. The degree title and number of units in the degree program need not be identical to those required by subdivision (a) of Section 4980.40. If the applicant's degree does not contain the number of units required by subdivision (a) of Section 4980.40, the board may, in its discretion, accept the applicant's education as substantially equivalent if the applicant's degree otherwise complies with this section and the applicant completes the units required by subdivision (a) of Section 4980.40.

**State of California  
Board of Behavioral Sciences**

**M e m o r a n d u m**

**To:** Policy and Advocacy Committee

**Date:** September 18, 2006

**From:** Christy Berger  
Legislation Analyst

**Telephone:** (916) 574-7847

**Subject: VIII. Discussion and Possible Action to Alter License Delinquency Period**

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Background

Licensed Clinical Social Workers (LCSW), Licensed Educational Psychologists (LEP), and Marriage and Family Therapists (MFT) are required to renew their licenses every two years. A license is "cancelled" when it is not renewed within five years from the expiration date. A person whose license has been cancelled may obtain a new license when:

- No fact, circumstance, or condition exists that, if the license were issued, would justify its revocation or suspension.
- He or she applies for licensure and pay the current fees.
- He or she takes and passes the current licensing examinations.

Discussion

Allowing a license to become "cancelled" is a five-year process. It is the only way for a person to "give up" their license other than a voluntary surrender, and such a surrender involves a number of enforcement processes so this is not typically done. Although a license can now be placed on "inactive" status, this requires renewing the inactive license every two years. The "inactive" status is primarily intended for those who may wish to reactivate their license at some point in the future. A cancelled license does not incur fees and cannot be reactivated, though a new license can be obtained through the process described above.

There are some consumer protection concerns when a person is permitted to obtain a new license after a five-year period of non-practice. During this time, the knowledge and skills required to practice may atrophy. Even though a person is required to pass the current licensing examinations, he or she is not required to meet current education or experience requirements.

Most individuals with a cancelled license appear to be exiting practice. Most have been licensed for many (20-30+) years, and the Board receives only about 12 renewals per year for licenses that have been delinquent for more than two years. Additionally, significant numbers of licenses are inactive prior to becoming cancelled. Currently, the Board has a total of 3,858 delinquent licenses, 8,890 inactive, and 11,771 that have been cancelled.

A two-year delinquency period would be a more reasonable time frame for a license to be cancelled by the Board.

Recommendation

Staff recommends that the Board seek legislation to implement the proposed language, which would reduce the license cancellation time frame from five years to two years.

Attachments

Proposed Language

# ATTACHMENT

Agenda Item VIII.

Discussion and Possible Action to Alter License  
Delinquency Period

**Proposed Language**

**BOARD OF BEHAVIORAL SCIENCES**  
**PROPOSED LANGUAGE**  
**License Delinquency Period**

**Amend § 4984.1 as follows:**

A license that has expired may be renewed at any time within ~~five~~ two years after its expiration on filing an application for renewal on a form prescribed by the board and payment of the renewal fee in effect on the last regular renewal date. If the license is renewed after its expiration, the licensee, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this chapter.

**Amend §4984.4 as follows:**

A license that is not renewed within ~~five~~ two years after its expiration may not be renewed, restored, reinstated, or reissued thereafter, but the licensee may apply for and obtain a new license if:

- (a) No fact, circumstance, or condition exists that, if the license were issued, would justify its revocation or suspension.
- (b) He or she pays the fees that would be required if he or she were applying for a license for the first time.
- (c) He or she takes and passes the current licensing examinations as specified in subdivision (g) of Section 4980.40.

**Amend § 4986.43 as follows:**

A license that has expired may be renewed at any time within ~~five~~ two years after its expiration on filing an application for renewal on a form prescribed by the board and payment of the renewal fee in effect on the last regular renewal date. If the license is renewed after its expiration, the licensee shall, prior to renewal, pay the delinquency fee prescribed by this chapter.

**Amend § 4986.46 as follows:**

A license that is not renewed within ~~five~~ two years after its expiration may not be renewed, restored, reinstated, or reissued thereafter. A licensee may apply for and obtain a new license if he or she satisfies the following:

- (a) No fact, circumstance, or condition exists that, if the license were issued, would justify its revocation or suspension.
- (b) He or she pays the fees that would be required if he or she were applying for a license for the first time.
- (c) He or she takes and passes the current licensing examination.

**Amend § 4996.6 as follows:**



(a) The renewal fee for licenses that expire on or after January 1, 1996, shall be a maximum of one hundred fifty-five dollars (\$155) and shall be collected on a biennial basis by the board in accordance with Section 152.6. The fees shall be deposited in the State Treasury to the credit of the Behavioral Sciences Fund.

(b) Licenses issued under this chapter shall expire no more than 24 months after the issue date. The expiration date of the original license shall be set by the board.

(c) To renew an unexpired license, the licensee shall, on or before the expiration date of the license, do the following:

(1) Apply for a renewal on a form prescribed by the board.

(2) Pay a two-year renewal fee prescribed by the board.

(3) Certify compliance with the continuing education requirements set forth in Section 4996.22.

(4) Notify the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the licensee's last renewal.

(d) If the license is renewed after its expiration, the licensee shall, as a condition precedent to renewal, also pay a delinquency fee of seventy-five dollars (\$75).

(e) Any person who permits his or her license to become delinquent may have it restored at any time within ~~five~~ two years after its expiration upon the payment of all fees that he or she would have paid if the license had not become delinquent, plus the payment of all delinquency fees.

(f) A license that is not renewed within ~~five~~ two years after its expiration may not be renewed, restored, reinstated, or reissued thereafter; however, the licensee may apply for and obtain a new license if:

(1) No fact, circumstance, or condition exists that, if the license were issued, would justify its revocation or suspension.

(2) He or she pays the fees that would be required if he or she were applying for a license for the first time.

(3) He or she takes and passes the current licensing examinations as specified in Section 4996.1.

(g) The fee for issuance of any replacement registration, license, or certificate shall be twenty dollars (\$20).

(h) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

**State of California  
Board of Behavioral Sciences**

**M e m o r a n d u m**

**To:** Policy and Advocacy Committee **Date:** September 12, 2006  
**From:** Christy Berger **Telephone:** (916) 574-7847  
Legislation Analyst  
**Subject: IX. Discussion and Possible Action to Eliminate Extensions for Associate  
Clinical Social Worker Registrations**

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Background

An Associate Clinical Social Worker (ASW) is currently permitted to retain the ASW registration for a maximum of six years. If needed, an ASW may apply for a maximum of three one-year extensions of the registration beyond this six-year period. Extensions are only permitted should the ASW apply prior to the final expiration date of his or her registration. After that time, the ASW must apply for a completely new registration, which can be retained for another six years.

In the past, Marriage and Family Therapist Interns (Intern) were also permitted three one-year extensions. Effective January 1, 1999, CAMFT-sponsored legislation (AB 610, Stats. 1995, Ch. 327) deleted the extension provision for Interns and provided the ability to apply for a completely new Intern registration, also good for six years.

Discussion

People who need the ASW registration beyond the initial six-year period typically need to gain additional hours of experience, or have completed their experience, are in the examination process and their employer requires the registration.

Each time an ASW needs an extension (yearly, up to a maximum of three years), he or she must complete an application and submit that with a \$50 fee prior to the registration's expiration date. This application is then processed by the Board. An application for a new registration can be submitted at any time and requires a fee of \$75 to apply and a \$75 fee per year to renew, for a maximum of six years.

Though ASWs and Interns have different content standards for registration and experience, parallel business processes are needed in order to provide administrative simplicity. Such differences (the extensions) create confusion for supervisors and registrants, especially considering that more people are supervising both ASWs and Interns.

Recommendation

In order to simplify administrative processes and reduce confusion, staff recommends that the Board sponsor legislation to eliminate the ASW extension process.

Attachments

Proposed Language

# ATTACHMENT

Agenda Item IX.

Discussion and Possible Action to Eliminate  
Extensions for Associate Clinical Social Worker  
Registrations

**Proposed Language**

**BOARD OF BEHAVIORAL SCIENCES  
PROPOSED LANGUAGE  
ASW Extensions**

*Amend §4996.18 as follows:*

(a) A person who wishes to be credited with experience toward licensure requirements shall register with the board as an associate clinical social worker prior to obtaining that experience. The application shall be made on a form prescribed by the board and shall be accompanied by a fee of seventy-five dollars (\$75). An applicant for registration shall (1) possess a master's degree from an accredited school or department of social work, and (2) not have committed any crimes or acts constituting grounds for denial of licensure under Section 480. ~~On and after January 1, 1993, an~~ An applicant who possesses a master's degree from a school or department of social work that is a candidate for accreditation by the Commission on Accreditation of the Council on Social Work Education shall be eligible, and shall be required, to register as an associate clinical social worker in order to gain experience toward licensure if the applicant has not committed any crimes or acts that constitute grounds for denial of licensure under Section 480. That applicant shall not, however, be eligible for examination until the school or department of social work has received accreditation by the Commission on Accreditation of the Council on Social Work Education.

(b) Registration as an associate clinical social worker shall expire one year from the last day of the month during which it was issued. A registration may be renewed annually after initial registration by filing ~~on or before the date on which the registration expires,~~ an application for renewal, paying a renewal fee of seventy-five dollars (\$75), and notifying the board whether he or she has been convicted, as defined in Section 490, of a misdemeanor or felony, and whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the issuance of the initial registration or registrant's last renewal. ~~Each person who registers or has registered as an associate clinical social worker, may retain that status for a total of six years.~~ A registration as an associate clinical social worker may be renewed a maximum of five times.

~~(c) Notwithstanding the limitations on the length of an associate registration in subdivision (b), an associate may apply for, and the board shall grant, one-year extensions beyond the six-year period when no grounds exist for denial, suspension, or revocation of the registration pursuant to Section 480. An associate shall be eligible to receive a maximum of three one-year extensions. An associate who practices pursuant to an extension shall not practice independently and shall comply with all requirements of this chapter governing experience, including supervision, even if the associate has completed the hours of experience required for licensure. Each extension shall commence on the date when the last associate renewal or extension expires. An application for extension shall be made on a form prescribed by the board and shall be accompanied by a renewal fee of fifty dollars (\$50). An associate who is granted this extension may work in all work settings authorized pursuant to this chapter.~~

(c) When no further renewals are possible, an applicant may apply for and obtain a new associate registration if the applicant meets all requirements for registration in effect at the time of application for a new associate registration.

(d) A registrant shall not provide clinical social work services to the public for a fee, monetary or otherwise, except as an employee.

(e) A registrant shall inform each client or patient prior to performing any professional services that he or she is unlicensed and is under the supervision of a licensed professional.

(f) Any experience obtained under the supervision of a spouse or relative by blood or marriage shall not be credited toward the required hours of supervised experience. Any experience obtained under the supervision of a supervisor with whom the applicant has a personal relationship that undermines the authority or effectiveness of the supervision shall not be credited toward the required hours of supervised experience.

(g) An applicant who possesses a master's degree from an accredited school or department of social work shall be able to apply experience the applicant obtained during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education toward the licensure requirements, if the experience meets the requirements of Section 4996.20, 4996.21, or 4996.23. This subdivision shall apply retroactively to persons who possess a master's degree from an accredited school or department of social work and who obtained experience during the time the accredited school or department was in candidacy status by the Commission on Accreditation of the Council on Social Work Education.

(h) An applicant for registration or licensure trained in an educational institution outside the United States shall demonstrate to the satisfaction of the board that he or she possesses a master's of social work degree that is equivalent to a master's degree issued from a school or department of social work that is accredited by the Commission on Accreditation of the Council on Social Work Education. These applicants shall provide the board with a comprehensive evaluation of the degree and shall provide any other documentation the board deems necessary. The board has the authority to make the final determination as to whether a degree meets all requirements, including, but not limited to, course requirements regardless of evaluation or accreditation.

**State of California  
Board of Behavioral Sciences**

**M e m o r a n d u m**

**To:** Policy and Advocacy Committee

**Date:** September 16, 2006

**From:** Paul Riches  
Executive Officer

**Telephone:** (916) 574-7840

**Subject: X. Review of Suggestions from Diversity Conference**

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Background

On April 28, 2006 the board sponsored a conference on diversity and mental health to help inform the board's policy development. Specifically, the board is seeking to identify how to address the dynamic demographic changes among Californians in its role as a regulator. The conference featured presentations highlighting:

1. the demographic reality of present day California and what population projections indicate,
2. the wide disparities in mental health care among immigrants and subsequent generations, and
3. current efforts by the Department of Mental Health to increase cultural competency among mental health practitioners.

Following the presentations, participants joined in a brainstorming session designed to provide the board with suggestions and avenues of inquiry to further this effort. Attached is a summary of that feedback that has been sorted and aggregated for the committee's review. Any current board related activity that is relevant to an item is noted.

Discussion

There are current efforts noted under many of the suggestions generated by the conference participants. Staff is providing this material both to update the committee and to solicit the committee's recommendations for prioritizing and pursuing other items on the list.

Attachments

Suggestions from the conference.

# ATTACHMENT

Agenda Item X.

Review of Suggestions from Diversity  
Conference

## **Specific Proposals**

### ***Expand outreach to undergraduates to stimulate interest in pursuing licensure.***

Refer to Communications Committee for inclusion in outreach efforts?

### ***Develop or increase Loan forgiveness/financial supports for candidates working in underserved communities.***

BBS working with HPEF to get loan repayment program operating.  
BBS evaluating options to increase HPEF funding.

### ***Increase number of Latino students in qualifying degree programs.***

### ***Establish paraprofessionals with career ladder building towards licensure.***

MHSA Workforce and Training initiative addressing career ladder for consumers.

### ***Update CSWE accreditation standards.***

### ***Get cultural competency into curriculum for LCSW and MFT degree programs.***

BBS Committee reviewing MFT education requirements.

### ***Establish accelerated degree programs for foreign graduates.***

### ***Establish exchange programs with other nations.***

### ***Add client-centered advocacy to MFT experience requirements.***

BBS Committee reviewing MFT education requirements.

### ***Extend 6-year restriction on supervised hours to qualify for licensure examinations.***

### ***Increase license portability.***

BBS eased portability for LCSW with 2006 legislation.  
BBS considering reevaluating ASWB exam for social work.  
AAMFT proposing changes for MFT portability.

### ***Establish specialty license for specific diagnoses (e.g., CAADAC).***

BBS working intermittently with ADP on dual diagnosis issues.



***Study school admissions data on those denied admission to evaluate barriers to entry for non-white students.***

***Make diversity a separate category in LCSW occupational analysis.***

***Increase the cultural diversity of the board's examination subject matter experts.***

***Put more information into candidate handbooks***

BBS is in process of comprehensive rewrites of the candidate handbooks.

***Offer examinations in other languages***

***Expand ESL accommodations policy***

BBS staff is currently reviewing the ESL accommodations policy.

***Test cultural competency in examinations***

Exams include diversity/cultural competency issues. Explore increased emphasis or new testing methodologies?

***Allow continuing education credits for language classes.***

***Collect information on board licensees.***

BBS licensee demographic survey is in production.

***Require insurance to gather and report demographic utilization data.***

***Evaluate examinations to see if competencies for underserved are covered.***

MFT occupational analysis is currently underway.

## **General Directions**

***Use the board to drive curriculum changes.***

MFT Education Committee is currently reviewing MFT curriculum.

***Get cultural competency everywhere.***

***Establish a dialogue with schools on MHSA.***

Subject addressed with MFT consortia in 2006 meetings.  
Executive Officer invited to join the CalSWEC committee on Mental Health Services

***Simplify the licensure process.***

***Support best practices research on treating minority populations.***

***Expand licensure to explicitly address public practice.***

***Increase emphasis on prevention of mental illness.***

## **Questions/Avenues of Inquiry**

***How to increase mentoring/support?***

***How to increase funding for supervision?***

MHSA Licensing and Certification initiative is developing a proposal to fund supervision in public mental health programs.

***How to increase ethnic diversity among licensees?***

***How to ease mid-career entry to licensure?***

***What do Sacramento County mental health workers do?***

***Examine San Jose State's bilingual education programs.***

***How to get better diversity questions on the examinations?***

Board staff is exploring the possibility of employing multimedia items on licensing examinations.

***Identify competencies for practice in underserved communities?***

***How to increase cultural competency in current licensees?***

***Why do candidates fail the examinations?***

## **Other**

***Comparative studies on mental health between cultures.***

## State of California

### Memorandum

**To:** Policy and Advocacy Committee

**Date:** September 8, 2006

**From:** Paul Riches  
Executive Officer

**Telephone:** (916) 574-7840

**Subject:** XI. Strategic Plan Update

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#### Background

The board formally adopted the new strategic plan at its November 2005 meeting. As part of the implementation of the strategic plan, each committee will receive a progress update on the strategic objectives under its jurisdiction. This regular exchange of information provided will provide mutual accountability between staff and board members in accomplishing our shared objectives.

#### **Goal 2: Build an excellent organization through effective leadership and professional staff.**

*Objective 2.1 -- Meet 80% of training goals identified in IDPs by June 30, 2006.*

##### Methodology

Staff reviewed Individual Development Plans completed in the 2005/2006 fiscal year and found that the plans indicated 23 separate training courses be completed.

##### Target

Staff would need to complete 18 courses to satisfy the objective.

##### Current Performance

The backlog of Individual Development Plans (IDPs) has been eliminated, and the board is now current. Of those IDPs given in the current fiscal year, 8 staff members identified 23 classes they desired to attend. To date 21 classes have been completed. This is an 88% completion rate.

This objective has been satisfied for the current quarter. Staff will return with recommendations regarding either the revision or elimination of this objective at a future committee meeting.

*Objective 2.2 -- Reduce average application processing time by 33% by December 30, 2006.*

Applicants place a priority on the timely resolution of their application, and this objective was established to improve the board's responsiveness to its applicants.

### Methodology

Application processing time is defined as follows:

# of days from receipt of application - # of days elapsed awaiting resolution of deficiencies

### Results for Baseline Period

Baseline processing time was established in the period from April – June 2005 as 23.4 days.

In the January – March 2006 quarter, the average processing time across all programs was 13.4 days.

In the April – June 2006 quarter, the average processing time across all programs was 8.2 days.

### Target Processing Times

An average processing time of 15.7 days would satisfy this strategic objective. The processing time for the April – June 2006 quarter was 8.2 days which is a 65% reduction in processing time.

### Future Focus

This has been satisfied for this quarter and staff anticipates not only maintaining this performance but that additional improvement in application processing times is possible. Staff is evaluating further processing time reductions as an objective.

*Objective 2.3 -- Increase staff training hours by 15% by June 30, 2010.*

### Methodology

Staff reviewed training records for the prior two fiscal years to establish an average number of training hours to utilize as a baseline.

In the fiscal year 2003/2004, staff completed 150 hours of formal training.  
In the fiscal year 2004/2005, staff completed 813 hours of formal training.  
This data yields an average of 481 hours of staff training over the two year period.  
Given the significant divergence between those two numbers, staff will use the 2004/2005 fiscal year as the baseline for this objective.

### Target

Staff would need to complete 934 hours per year to satisfy the objective.

### Current Performance

In the fiscal year 2004/2005, 813 hours were devoted to staff training. This number includes a mandatory training class, which all staff attended and accounts for 168 hours. To date, 992 hours staff training has been completed. A 22% increase over the previous year.

The standard training plan has been implemented for all new staff. Currently, 2 staff members are going through this standardized training. For existing staff, standard training specific to the employee civil service classification has been identified and shared with staff.

*Objective 2.4 -- Joint participation by executive staff and board members in 20 external events (non-board meeting) by June 30, 2010.*

This objective was included to develop closer working relationships between board members and board staff outside the context of formal board and committee meetings. The following list includes both past and currently scheduled events.

1. *October 2005* MSW educators meeting at USC [Peter Manoleas, Paul Riches]
2. *January 2006* MSW student meeting at UC Berkeley [Peter Manoleas, Paul Riches, Janene Mayberry]
3. *March 2006* National Association of School Psychologists meeting in Anaheim [Judy Johnson, Paul Riches]
4. *April 2006* MFT Student outreach meeting at Pepperdine University [Karen Pines, Sean O'Connor]
5. *May 2006* CAMFT annual meeting in Palm Springs [Joan Walmsley, Mona Maggio, Paul Riches]
6. *June 2006* MFT students and educators meeting at Phillips Graduate Institute [Ian Russ, Victor Law, Paul Riches, Kari Frank, Mona Maggio]
7. *July 2006* Orange County Community Counseling Consortium meeting at Pepperdine University, Orange County [Paul Riches, Joan Walmsley]

**Goal 5: Utilize technology to improve and expand services.**

*Objective 5.1 -- Provide the ability to accept electronic payments by June 30, 2008.*

*Objective 5.2 -- Process 70% of all renewal applications on-line by June 30, 2009.*

*Objective 5.3 -- Process 33% of all new applications on-line by June 30, 2010*

*Objective 5.4 -- Provide the ability to check the status of all applications online by June 30, 2010.*

These four goals are linked to the implementation of the iLicensing system being developed by the Department of Consumer Affairs. The Legislature included \$10.7 million in the 2006-07 budget bill (SB 1129) for the Department to implement the system. All of the boards and bureaus within the Department will share the expense of the system. It is expected that the system will provide a platform to meet these goals. The BBS budget was increased by \$50,000 in the 2006-07 fiscal year to reflect its share of the first year expense. Additional expenditures in future budget years are expected as the project is implemented. The budget action included total department-wide budget reductions of \$500,000 per year ongoing beginning in the 2009-10 fiscal year to reflect efficiencies from the system.

A status update regarding the iLicensing system is provided in an attached memo.

**Goal 6: Maximize the efficiency and effectiveness of the Board's resources.**

The productivity targets in each of these objectives were established by projecting future workload based on an evaluation of the trends established in the past five years. These productivity increases are required if the new workload is to be absorbed without either an increase in staffing or reduction in service levels.

*Objective 6.1 -- Increase licensing staff productivity 13% by June 30, 2010*

With the close of the January – March 2006 quarter, we now have one full year of data available as a baseline measure of productivity. It is important to measure licensing productivity on an annual basis because of the substantial seasonality to the workload.

Methodology

Productivity is defined as the total number of completed applications divided by the total time. The licensing unit has 4.5 personnel years allocated to evaluate applications for registration and licensure. There are 246 working days in a personnel year (52 weeks x 5 days – 14 paid state holidays). Based on 8 hour workdays that allows 1107 total working days for our license evaluators. This figure does not account for vacancies, training time, sick leave, or vacation so the resulting number is expected to understate the actual productivity, but including these confounding variables would make valid year to year comparisons unworkable.

Results for Baseline Period

In the period of April 1, 2005 to March 31, 2006 the license evaluators completed 6377 applications. Based on that performance the license evaluators completed 0.7 applications per work hour.

Productivity Target

To meet the 13% productivity increase target the license evaluators will have to complete .81 applications per work hour.

*Objective 6.2 -- Increase enforcement staff productivity in processing consumer complaints 29% by June 30, 2010.*

Methodology

Measuring productivity in enforcement poses a significantly greater challenge than in other board programs. This objective specifically references consumer complaints and therefore actions taken based on internal investigations or criminal conviction information were not considered. Both of these categories do include a significant portion of the enforcement unit workload, but the objective sought to focus on consumer complaints as the most important element of that workload.

First, it was not immediately apparent what the “product” is. After considerable reflection and discussion, we arrived at “resolution” as basic element in enforcement. Actions that resolved (or completed) a consumer complaint were deemed to be products. Consumer complaints are generally “resolved” in one of four categories:

1. Disciplinary Action
2. Citation and Fine
3. Cease/Desist Letter

#### 4. Complaint Closure (No Action).

Second, it is very difficult to assign a numeric value to that “product.” There is little discernible difference in value in the principal products in the licensing and examination units. However, staff believes that there is a significant difference in the value assigned to different enforcement actions. To arrive at values for the four possible resolutions, staff assigned a score of 1-10 (1 = minimum 10 = maximum) based on the perceived impact or significance of the resolution by enforcement staff, complainants and the licensees. These values are highly subjective but are based on the experience of enforcement unit staff with all parties for a long period of time. Below are the values arrived at (maximum score = 30):

Discipline -- 30  
Citation and Fine – 22  
Cease/Desist – 12  
Closure (No Action) – 9.5

Great care and consideration was given to arriving at these values. Specifically, staff focused on the perceived impact of the resolution, not the amount of resources required to reach it. For instance, while discipline was rated as the maximum impact, reaching a disciplinary outcome has roughly triple the “value” of a closure, but represents far more than triple the resources required to close a complaint. This is methodologically important because measuring productivity requires measuring outputs or products, not the inputs they require. It is also important for policy reasons, because we do not want to create incentives to take one action or another based on anything except for the objective assessment of whether we can prove a violation by clear and convincing evidence. We believe that the value scale presented accomplishes that balance. Individuals can fairly challenge the staff’s subjective assessments but I believe that it meets the test of not establishing an incentive system and if applied over time will consistently evaluate the enforcement staff’s productivity.

#### Results for Baseline Period

In the 2004-05 Fiscal Year the Enforcement Unit had three analysts handling consumer complaints. Total staff hours for the year (3 positions x 246 working days x 8 hours) were 5904. In that fiscal year consumer complaints had the following resolutions:

Discipline – 11  
Citation and Fine – 18  
Cease/Desist – 31  
Closure (No Action) – 501

Based on the assigned values this yields a score of 5857.5 for the fiscal year.

Productivity for the fiscal year was 1.0.

#### Productivity Target

The objective calls for a 29% increase in productivity in processing consumer complaints. This would require a productivity of 1.3 to satisfy the objective.

#### Fiscal Year 2005-06 Results

In the 2005-06 Fiscal Year the Enforcement Unit had two analysts handling consumer complaints. Total staff hours for the year (2 positions x 246 working days x 8 hours) were 3936. In that fiscal year consumer complaints had the following resolutions:

Discipline – 15  
Citation and Fine – 11  
Cease/Desist – 25  
Closure (No Action) – 451

Based on the assigned values this yields a score of 5276.5 for the fiscal year.

Productivity for the fiscal year was 1.3.

*Objective 6.3 -- Increase examination staff productivity 15% by June 30, 2010.*

#### Methodology

Productivity is defined as the total number of examinations administered divided by the total time. The exam unit has 2.8 personnel years allocated to develop and administer examinations for registration and licensure. There are 246 working days in a personnel year (52 weeks x 5 days – 14 paid state holidays). Based on 8 hour workdays that allows 5510 total working hours in the exam unit. This figure does not account for vacancies, training time, sick leave, or vacation so the resulting number is expected to understate the actual productivity. However, including these confounding variables would make valid year to year comparisons unworkable.

#### Baseline Period

The 2004-2005 fiscal year will serve as the baseline period. In that year, 6626 exams were administered which yields a productivity of 1.2 examinations per staff hour.

#### Productivity Target

To meet the 15% productivity increase target the examination unit will have to reach 1.4 examinations per staff hour.

#### Results for 2005-06 Fiscal Year

In the 2005-06 Fiscal Year, the board administered 7257 examinations which yields a productivity of 1.3 examinations per staff hour.

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# ATTACHMENT

Agenda Item XI

Strategic Plan Update

**iLicensing**

# Memorandum

**To:** Policy and Advocacy Committee

**Date:** September 19, 2006

**From:** Lynné Stiles  
Associate Information Systems Analyst  
Board of Behavioral Sciences

**Telephone:** (916) 574-7830

**Subject** **Strategic Plan Update on Goal 5:**  
**Utilize technology to improve and expand services (i.e., i-Licensing)**

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## **OVERVIEW AND BACKGROUND**

This memo serves as an update on the status of Goal 5 of the Board's Strategic Plan. This goal calls for the Board to utilize technology to improve and expand services, most notably through the implementation of online services that would enable constituents to perform tasks such as renewing their license and checking the status of an application on our website.

Our current process is paper based where information is received either by mail or fax and staff processes the various materials within our office. Processing a renewal can take 6-8 weeks if all the information is included, and longer if documentation is missing. Processing applications for registration or licensure averages approximately 2 weeks. By implementing online services, we anticipate it will reduce the processing time frames dramatically.

## **TYPES OF SERVICES**

Within this goal are four objectives which when implemented will provide the "online" ability for the following types of services:

- *Accept electronic payments*
- *Renew a license or registration*
- *Submit an application for registration or licensure, and*
- *Check the status of an application.*

## **OBJECTIVES**

The specific objectives and defined terms for implementing this goal are:

- ***Objective 5.1 - Provide the ability to accept electronic payments by June 30, 2008.***

The defined term for "electronic payments" includes the credit card use with minor processing fee for:

- Renewals and delinquent renewals for MFT, LCS, LEP, IMF, ASW
- Applications for Registration and Licensure, Re-examinations
- ASW Extension applications

➤ ***Objective 5.2 – Process 70% of all renewal applications online by June 30, 2009***

The defined term for “renewal applications” relates to:

- Monies for renewals and delinquent renewals for MFT, LCS, LEP, IMF, ASW and CE Provider, and
- Must satisfy renewal requirements for CE and criminal conviction.

➤ ***Objective 5.3 – Process 33% of all new applications online by June 30, 2010***

The defined term for “new applications” relates to:

- Applications for registration and licensure (IMF, ASW, MFT, LCSW, LEP), and
- Applications for CE provider.

➤ ***Objective 5.4 – Provide the ability to check the status of an application online by June 30, 2010***

The defined term for “status of applications” relates to:

- New applications for registration and licensure
- Examination applicants, and
- Renewals.

**DCA i-LICENSING PROJECT – STATUS UPDATE**

The 2006-2007 Budget Act included \$10.7 million in the 2006-07 Budget bill (SB 1129) for the Department to implement the iLicensing system. All of the boards and bureaus within the Department will share the expense of the system. It is expected that the system will provide a platform to meet most of the objectives in goal 5 of our strategic plan (further discussion on this item can be found in “*Items for Consideration*” below).

The BBS budget was increased by \$35,000 in the 2006-2007 fiscal year to reflect its share of the first year expense. Additional expenditures in future budget years are expected as the project is implemented. The budget action included total department-wide budget reductions of \$500,000 per year ongoing beginning in the 2009-2010 fiscal year to reflect efficiencies from the system.

Currently there are seven boards that have the capability for processing online renewals. However the feature is out of date and requires reprogramming and refinement and is not considered to be viable for department wide use.

In August, the Department provided a project overview for implementing the iLicensing project over the next three fiscal years. During this fiscal year (06/07), vendor planning, selection and procurement will be taking place along with RFP development. The second through third fiscal years will include 5 phases where DCA Board's and Bureaus will be brought online. BBS is currently scheduled in the third phase for a January, 2009 rollout date. During each phase of rollout, the following activities will include GAP analysis, design/system configuration, interfaces/integration testing, implementation (includes user acceptance testing) and training.

### **ITEMS FOR CONSIDERATION**

1. As indicated above, it is expected that the system will provide a platform to meet *most* of the objectives in goal 5 of our strategic plan. At this time the iLicensing project does not include submitting new applications or the ability for the licensee or registrant to check the status of an application online. These issues are reflected in Objectives 5.3 and 5.4.

Objective 5.3 seeks to provide the ability to process / submit applications for registration and licensure. Aside from the fee and application, additional documents are required to be submitted with the application (transcripts, photograph, supervisor responsibility statements, etc.). Submitting these items enable the application process to continue.

Objective 5.4 seeks to provide the ability to check the status of applications as it relates to new applications, applications for the examination, or the processing of renewals.

Since these items are not currently in the scope of work for DCA's project, the Committee may want to consider these items when updating the strategic plan this year.

2. In addition, based on the timeline of DCA's iLicensing project, and Behavioral Sciences being in the third phase rollout slated for January 2009, the Committee may want to consider adjusting the date reflected in Objective 5.1 – *Provide the ability to accept electronic payment by June 30, 2008.*

# State of California

## Memorandum

**To:** Budget and Efficiency Committee

**Date:** September 19, 2006

**From:** Paul Riches  
Executive Officer

**Telephone:** (916) 574-7840

**Subject:** XII. Budget Update

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### 2006-07 Budget

The 2005-06 fiscal year ends on June 30, 2006. The board's total spending authority for 2006-07 will be \$4.9 million. This is an increase of approximately \$100,000 (2%) over the 2005-06 fiscal year budget. This increase includes a \$35,000 augmentation to fund the board's share of the iLicensing system for 2006/07.

Please see the attached expenditure reports and fund conditions.

### 2007-08 Budget

Staff has submitted a budget change proposal (BCP) requesting two additional enforcement analysts with an estimated cost of \$163,000 ongoing. This proposal was submitted in response to increasing consumer complaint workload in the enforcement unit. The BCP proposes to redirect funding from existing line items for Attorney General and Office of Administrative Hearings expenses. Both of these items have had significant unexpended balances in recent years and those resources are needed elsewhere in the board's enforcement program. The BCP is subject to review by the Department of Consumer Affairs, State and Consumer Services Agency and the Department of Finance.

If the BCP receives final approval, it will be included in the proposed Governor's budget that will be released next January.

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# ATTACHMENT A

Agenda Item XII.

Budget Update

**Expenditure Report**

**BOARD OF BEHAVIORAL SCIENCES**  
**EXPENDITURE REPORT FY 2006/2007**

OBJECT DESCRIPTION	FY 2005/2006	FY 2006/2007			
	ACTUAL EXPENDITURES	BUDGET ALLOTMENT	CURRENT AS OF 7/31/06	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
<b>PERSONAL SERVICES</b>					
Salary & Wages (Civ Svc Perm)	1,045,321	1,190,617	89,072	1,140,000	50,617
Salary & Wages (Stat Exempt)	85,132	81,420	7,124	86,000	(4,580)
Temp Help (907)(Seasonals)	29,210	14,105	0	35,000	(20,895)
Temp Help (915)(Proctors)	0	19,444	0	0	19,444
Board Memb (Per Diem)	9,500	12,900	0	10,000	2,900
Overtime	6,203	7,533	0	6,500	1,033
Totals Staff Benefits	471,626	507,933	38,409	500,000	7,933
Salary Savings		(54,514)			(54,514)
<b>TOTALS, PERSONAL SERVICES</b>	<b>1,645,992</b>	<b>1,779,438</b>	<b>134,605</b>	<b>1,777,500</b>	<b>1,938</b>
<b>OPERATING EXP &amp; EQUIP</b>					
Fingerprint Reports	4,394	162,954	0	5,000	157,954
General Expense	80,090	52,416	4,391	80,000	(27,584)
Printing	79,402	85,377	743	80,000	5,377
Communication	17,051	24,460	437	18,000	6,460
Postage	103,109	97,944	5,693	105,000	(7,056)
Travel, In State	63,898	54,082	464	65,000	(10,918)
Travel, Out-of-State	0	0	0	12,000	(12,000)
Training	21,767	15,288	825	22,000	(6,712)
Facilities Operations	178,368	207,867	13,268	175,000	32,867
C&P Services - Interdept.	0	25,833	0	0	25,833
C&P Services-External	8,405	9,119	200	100,000	(90,881)
<b>DEPARTMENTAL PRORATA</b>					
DP Billing	252,057	252,057	0	252,057	0
Indirect Distribution Costs	279,793	279,793	0	279,793	0
Communication/Educ. Division	16,539	16,091	0	16,091	0
D of I Prorata	7,880	7,880	0	7,880	0
Interagency Services (OER IACs)	196,680	0	0	196,680	(196,680)
Consolidated Data Services	15,000	20,250	0	15,000	5,250
Data Processing (Maint,Supplies,Contract)	12,839	4,383	0	10,000	(5,617)
Central Admin. Svcs - Pro Rata	146,345	146,345	0	146,345	0
<b>EXAM EXPENSES</b>					
Exam Site Rental	65,403	192,079	0	75,000	117,079
Exam Contract (Thomson) (404.00)	375,496	277,744	0	385,000	(107,256)
Expert Examiners (404.01)	255,957	448,223	4,530	275,000	173,223
<b>ENFORCEMENT</b>					
Attorney General	341,213	517,625	34,150	400,000	117,625
Office of Admin. Hearing	36,859	149,421	4,344	45,000	104,421
Court Reporters	2,623	0	1,005	5,000	(5,000)
Evidence/Witness Fees	42,462	59,247	1,590	55,000	4,247
Division of Investigation	43,063	43,063	0	43,063	0
Minor Equipment (226)	26,397	37,100	1,372	25,000	12,100
Major Equipment	448	10,000	0	2,000	8,000
<b>TOTAL, OE&amp;E</b>	<b>2,673,538</b>	<b>3,196,641</b>	<b>73,012</b>	<b>2,895,909</b>	<b>300,732</b>
<b>TOTAL EXPENDITURES</b>	<b>\$4,319,530</b>	<b>\$4,976,079</b>	<b>\$207,617</b>	<b>\$4,673,409</b>	<b>\$302,670</b>
Fingerprints	4,494	(150,000)	66	(5,000)	(149,934)
Other Reimbursement	14,545	(26,000)	2,625	(26,000)	(23,375)
Unscheduled Reimbursements	17,903	0	948	(20,000)	(948)
Total Reimbursements	36,942	(176,000)	3,639	(51,000)	(174,257)
<b>NET APPROPRIATION</b>	<b>\$4,356,472</b>	<b>\$4,800,079</b>	<b>\$211,256</b>	<b>\$4,622,409</b>	<b>\$128,413</b>

# ATTACHMENT B

Agenda Item XII.

Budget Update

**Fund Condition**



# BOARD OF BEHAVIORAL SCIENCES

## Analysis of Fund Condition

(Dollars in Thousands)

**NOTE: \$6.0 Million General Fund Repayment Outstanding**

	ACTUAL 2005-06	2006-07	2007-08	2008-09
<b>BEGINNING BALANCE</b>	\$ 4,090	\$ 5,368	\$ 5,651	\$ 5,850
Prior Year Adjustment	\$ 47	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 4,137	\$ 5,368	\$ 5,651	\$ 5,850
<b>REVENUES AND TRANSFERS</b>				
Revenues:				
Fees	\$ 5,281	\$ 5,072	\$ 5,072	\$ 5,072
Income from surplus money investments	\$ 205	\$ 111	\$ 115	\$ 117
Escheat of unclaimed checks and warrants	\$ 3	\$ 2	\$ 2	\$ 2
Miscellaneous revenues	\$ 2	\$ 4	\$ 4	\$ 4
Totals, Revenues	\$ 5,491	\$ 5,189	\$ 5,193	\$ 5,195
Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers to Other Funds	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 5,491	\$ 5,189	\$ 5,193	\$ 5,195
Totals, Resources	\$ 9,628	\$ 10,557	\$ 10,844	\$ 11,045
<b>EXPENDITURES</b>				
Disbursements:				
0840 State Controller (State Operations)	\$ -	\$ 3	\$ -	\$ -
<u>Budget Act of 2006</u>				
1110 Program Expenditures (State Operations) - Galley 2	\$ 4,260	\$ 4,868	\$ 4,868	\$ 4,965
1110 iLicensing SFL		\$ 35	\$ 102	\$ 104
<u>2007-08 BCPs: Board</u>				
Enforcement (funding redirection)			\$ -	\$ -
<u>2007-08 BCPs: Divisions</u>				
OIS - Info Techn Services			\$ 17	\$ 15
Div of Inv - Enforcement Positions			\$ 4	\$ 3
Div of Inv - Case Intake Unit			\$ 3	\$ 3
Total Disbursements	\$ 4,260	\$ 4,906	\$ 4,994	\$ 5,090
<b>FUND BALANCE</b>				
Reserve for economic uncertainties	\$ 5,368	\$ 5,651	\$ 5,850	\$ 5,955
<b>Months in Reserve</b>	13.1	13.6	13.8	13.8

**NOTES:**

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED
- B. EXPENDITURE GROWTH PROJECTED AT 2% BEGINNING FY 2008-09

## State of California

### Memorandum

**To:** Policy and Advocacy Committee

**Date:** September 19, 2006

**From:** Paul Riches  
Executive Officer

**Telephone:** (916) 574-7840

**Subject:** XIII. Fee Reductions

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#### Background

The board is financed by fees charged to its applicants and licensees. The board is not supported by any general tax revenue. In the 2005-06 Fiscal Year the board collected revenues of approximately \$5.5 million and had expenditures of approximately \$4.3 million. The board had a reserve of approximately \$5.4 million at the end of the 2005-06 Fiscal Year which would fund board operations for slightly more than 13 months based on projected expenditures. In addition, the board's fund made a \$6 million loan to the state General Fund in the 2002-03 Fiscal Year which represents an additional 17 months of operating reserves. Business and Professions Code 128.5 (attached) requires boards to reduce fees when the reserve exceeds 2 years of expenditures. At present the board's reserve would have to exceed \$9.5 million to trigger this requirement. The General Fund loan is not accounted for in the fund condition analysis and accordingly the board is still well below the 24 month level specified in this statute. However, if current trends continue the board will reach the 24 month threshold in approximately four years.

Board fees are set by one of two mechanisms:

- Established at a particular level in statute [example: examination fees]
- Established in board regulations within a range set in statute [example: license renewal fees]

The board only has direct control over those fees which establish a range in statute. The most notable of these is the license renewal fee. Renewal fee ranges are established as follows:

License Type	Minimum	Maximum	Current
Marriage and Family Therapist	\$0	\$180	\$130
Licensed Clinical Social Worker	\$0	\$155	\$100
Licensed Educational Psychologist	\$0	\$150	\$80

Approximately 70% of the board's revenue is derived from renewal fees.

Staff presented a proposal at the May 2006 board meeting to temporarily reduce fees in concert with a comparable increase in the license renewal surcharge for the Licensed Mental Health Services Provider Education Program (program). The net effect of that proposal was to decrease board revenue by \$3.6 million over a two year period and redirect that revenue to the program. At the conclusion of that period, fees would revert to their prior levels and the license renewal surcharge that funds the program would revert to the \$10 current charged. However, preliminary discussions with the administration indicated that such temporary fee reductions

were not acceptable. Accordingly, staff revisited the issue and has developed an alternative proposal outlined below.

### Proposal

In order to address the increasing fund balance, staff has developed some preliminary estimates regarding the magnitude and duration of a fee reduction program that would reduce the fund balance to an acceptable range (3-6 months operating reserve) without triggering repayment of the general fund loan. License renewal and license issuance fees would be reduced by \$40 across the board permanently.

These reductions would reduce revenue over a ten-year period by approximately \$10 million and leave the board with a 3.8 month reserve at the close of the 15-16 fiscal year. At that time the board would still have \$6 million (plus accumulated interest) available from the General Fund loan which is approximately 17 months of additional reserve under current spending trends. These estimates are based on 2% annual increase in workload (number of licenses issued or renewed) and expenditures which is in line with out budget history.

Any such reductions would have to be made in regulation by the board.

Given the timeframes required for passing a regulation (which is necessary to make the fee changes) and the administrative efforts required to implement a fee reduction, staff does not anticipate a fee reduction could occur until January 1, 2008.

### Licensed Mental Health Services Provider Education Program

Staff suggests that during this period of fee reduction the surcharge assessed to license renewals be increased to entirely or partially offset the reduced licensing fees. This would provide significantly greater revenue to the program and enable it to support more future professionals. This would require a legislative change as the surcharge provision is in statute, not board regulations.

### Recommendations

- That the committee recommend that the board direct staff to prepare a draft fee reduction regulation.
- The committee recommends that the board to sponsor legislation that would increase the license renewal surcharge by \$40.

### Attachments

Text of AB 938

Text of Business and Professions Code Sections and Board Regulations Relating to Fees

Current and Projected Fund Condition Analyses

Proposed Fee Revenue Analysis

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# **Attachment A**

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## **Assembly Bill No. 938**

### **CHAPTER 437**

An act to add Sections 2987.2, 4984.75, and 4996.65 to the Business and Professions Code, and to add Article 4 (commencing with Section 128454) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to health professions.

[Approved by Governor September 20, 2003. Filed  
with Secretary of State September 22, 2003.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 938, Yee. Mental health professions: educational loan reimbursement: funding.

Existing law requires the Office of Statewide Health Planning and Development to establish a nonprofit public benefit corporation known as the Health Professions Education Foundation to perform various duties with respect to implementing health professions scholarship and loan programs.

Existing law provides for the Registered Nurse Education Program within the foundation under which persons who agree in writing prior to graduation to serve in an eligible county health facility, an eligible state-operated health facility, or a health manpower shortage area are eligible for scholarship and loan repayment. Existing law establishes in the State Treasury the Registered Nurse Education Fund and provides for the appropriation of money in the fund annually in the Budget Act for purposes of the Registered Nurse Education Program.

This bill would similarly establish the Licensed Mental Health Service Provider Education Program. The bill would require the foundation to develop the program, as prescribed, to provide grants to licensed mental health service providers, as defined, who provide direct patient care in a publicly funded facility or a mental health professional shortage area, as defined.

Existing law provides for the licensure and regulation of psychologists by the Board of Psychology and marriage and family therapists and licensed clinical social workers by the Board of Behavioral Sciences. Existing law requires these regulatory boards to charge license renewal fees.

This bill would require these boards to charge these licensees, at the time of license renewal, an additional specified assessment fee. It would require the boards to transfer the fee amounts to the Controller for deposit in the Mental Health Practitioner Education Fund established

under the bill. Moneys in the fund would be available, upon appropriation by the Legislature, for expenditure by the office for the purposes of the Licensed Mental Health Provider Education Program.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) An adequate supply of licensed mental health service providers is critical to ensuring the health and well-being of the citizens of California, particularly those who live in multicultural, linguistically diverse, and medically underserved areas.

(b) The California Mental Health Planning Council has identified the shortage of human resources at all levels as one of the most urgent issues facing the mental health system. The shortage is most acute for child psychiatrists, licensed clinical social workers, and especially for multilingual and multicultural staff in all mental health occupations.

(c) In an effort to address the crisis facing the mental health system, the California Mental Health Planning Council developed the Human Resources Project that is directed by its Human Resources Committee. Beginning in 2001, the project convened focus groups targeting social workers from three of the most prevalent ethnic communities: Latino, Asian/Pacific Islander, and African-American. The focus groups were conducted in collaboration with the California Institute for Mental Health and funded by the State Department of Mental Health and the Zellerbach Family Fund.

(d) The Human Resources Project's September 2002 report entitled "Human Resources Pilot Ethnic Focus Group Project: Summary of Recommendations" found that financial barriers to practice was the primary reason cited by the participants. All participant groups indicated that they had encountered serious difficulty in meeting the expenses of graduate school while struggling with living and child care expenses. All groups advocated for additional forms of financial assistance, like the loan forgiveness programs currently available to doctors and nurses.

SEC. 2. Section 2987.2 is added to the Business and Professions Code, to read:

2987.2. In addition to the fees charged pursuant to Section 2987 for the biennial renewal of a license, the board shall collect an additional fee of ten dollars (\$10) at the time of renewal. The board shall transfer this amount to the Controller who shall deposit the funds in the Mental Health Practitioner Education Fund.

SEC. 3. Section 4984.75 is added to the Business and Professions Code, to read:



4984.75. In addition to the fees charged pursuant to Section 4984.7 for the biennial renewal of a license pursuant to Section 4984, the board shall collect an additional fee of ten dollars (\$10) at the time of renewal. The board shall transfer this amount to the Controller who shall deposit the funds in the Mental Health Practitioner Education Fund.

SEC. 4. Section 4996.65 is added to the Business and Professions Code, to read:

4996.65. In addition to the fees charged pursuant to Section 4996.6 for the biennial renewal of a license, the board shall collect an additional fee of ten dollars (\$10) at the time of renewal. The board shall transfer this amount to the Controller who shall deposit the funds in the Mental Health Practitioner Education Fund.

SEC. 5. Article 4 (commencing with Section 128454) is added to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, to read:

Article 4. Licensed Mental Health Service Provider Education  
Program

128454. (a) There is hereby created the Licensed Mental Health Service Provider Education Program within the Health Professions Education Foundation.

(b) For purposes of this article, the following definitions shall apply:

(1) "Licensed mental health service provider" means a psychologist, marriage and family therapist, and licensed clinical social worker.

(2) "Mental health professional shortage area" means an area designated as such by the Health Resources and Services Administration (HRSA) of the United States Department of Health and Human Services.

(c) Commencing January 1, 2005, any licensed mental health service provider who provides direct patient care in a publicly funded facility or a mental health professional shortage area may apply for grants under the program to reimburse his or her educational loans related to a career as a licensed mental health service provider.

(d) The Health Professions Education Foundation shall make recommendations to the director of the office concerning all of the following:

(1) A standard contractual agreement to be signed by the director and any licensed mental health service provider who is serving in a publicly funded facility or a mental health professional shortage area that would require the licensed mental health service provider who receives a grant under the program to work in the publicly funded facility or a mental health professional shortage area for at least one year.





(2) The maximum allowable total grant amount per individual licensed mental health service provider.

(3) The maximum allowable annual grant amount per individual licensed mental health service provider.

(e) The Health Professions Education Foundation shall develop the program, which shall comply with all of the following requirements:

(1) The total amount of grants under the program per individual licensed mental health service provider shall not exceed the amount of educational loans related to a career as a licensed mental health service provider incurred by that provider.

(2) The program shall keep the fees from the different licensed providers separate to ensure that all grants are funded by those fees collected from the corresponding licensed provider groups.

(3) A loan forgiveness grant may be provided in installments proportionate to the amount of the service obligation that has been completed.

(4) The number of persons who may be considered for the program shall be limited by the funds made available pursuant to Section 128458.

128456. In developing the program established pursuant to this article, the Health Professions Education Foundation shall solicit the advice of representatives of the Board of Behavioral Science Examiners, the Board of Psychology, the State Department of Mental Health, the California Mental Health Directors Association, the California Mental Health Planning Council, professional mental health care organizations, the California Healthcare Association, the Chancellor of the California Community Colleges, and the Chancellor of the California State University. The foundation shall solicit the advice of representatives who reflect the demographic, cultural, and linguistic diversity of the state.

128458. There is hereby established in the State Treasury the Mental Health Practitioner Education Fund. The moneys in the fund, upon appropriation by the Legislature, shall be available for expenditure by the Office of Statewide Health Planning and Development for purposes of this article.



# **Attachment B**

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## Statutes and Regulations Relating to BBS Fees

### Business and Professions Code

**128.5.** (a) Notwithstanding any other provision of law, if at the end of any fiscal year, an agency within the Department of Consumer Affairs, except the agencies referred to in subdivision (b), has unencumbered funds in an amount that equals or is more than the agency's operating budget for the next two fiscal years, the agency shall reduce license or other fees, whether the license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount that will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years.

(b) Notwithstanding any other provision of law, if at the end of any fiscal year, the California Architects Board, the Board of Behavioral Science Examiners, the Veterinary Medical Board, the Court Reporters Board of California, the Medical Board of California, the Board of Vocational Nursing and Psychiatric Technicians, or the Bureau of Security and Investigative Services has unencumbered funds in an amount that equals or is more than the agency's operating budget for the next two fiscal years, the agency shall reduce license or other fees, whether the license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount that will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years.

**205.** (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

- (1) Accountancy Fund.
- (2) California Board of Architectural Examiners' Fund.
- (3) Athletic Commission Fund.
- (4) Barbering and Cosmetology Contingent Fund.
- (5) Cemetery Fund.
- (6) Contractors' License Fund.
- (7) State Dentistry Fund.
- (8) State Funeral Directors and Embalmers Fund.
- (9) Guide Dogs for the Blind Fund.
- (10) Bureau of Home Furnishings and Thermal Insulation Fund.
- (11) California Board of Architectural Examiners-Landscape Architects Fund.
- (12) Contingent Fund of the Medical Board of California.
- (13) Optometry Fund.
- (14) Pharmacy Board Contingent Fund.
- (15) Physical Therapy Fund.
- (16) Private Investigator Fund.
- (17) Professional Engineers' and Land Surveyors' Fund.
- (18) Consumer Affairs Fund.
- (19) Behavioral Sciences Fund.**
- (20) Licensed Midwifery Fund.
- (21) Court Reporters' Fund.
- (22) Structural Pest Control Fund.
- (23) Veterinary Medical Board Contingent Fund.
- (24) Vocational Nurses Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (25) State Dental Auxiliary Fund.
- (26) Electronic and Appliance Repair Fund.
- (27) Geology and Geophysics Fund.
- (28) Dispensing Opticians Fund.
- (29) Acupuncture Fund.
- (30) Hearing Aid Dispensers Fund.
- (31) Physician Assistant Fund.

- (32) Board of Podiatric Medicine Fund.
- (33) Psychology Fund.
- (34) Respiratory Care Fund.
- (35) Speech-Language Pathology and Audiology Fund.
- (36) Board of Registered Nursing Fund.
- (37) Psychiatric Technician Examiners Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (38) Animal Health Technician Examining Committee Fund.
- (39) Structural Pest Control Education and Enforcement Fund.
- (40) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

## **Title 16, California Code of Regulations**

### **§1816. RENEWAL FEES**

(a) The biennial renewal fee for a marriage and family therapist is one hundred fifty dollars (\$150.00). For those persons whose license expires on or after July 1, 1998, the biennial renewal fee shall be one hundred thirty dollars (\$130.00) except for the period of time in subsection (h).

(b) The biennial renewal fee for a licensed clinical social worker is one hundred fifty dollars (\$150.00). For those persons whose license expires on or after July 1, 1998, the biennial renewal fee shall be one hundred dollars (\$100.00) except for the period of time in subsection (i).

(c) The biennial renewal fee for a licensed educational psychologist is eighty dollars (\$80.00) for each person whose license expires on or after July 1, 1998 except for the period of time in subsection (j).

(d) The biennial renewal fee for a board-approved continuing education provider is two hundred dollars (\$200.00).

(e) The annual renewal fee for intern registration is seventy-five dollars (\$75.00).

(f) The annual renewal fee for associate clinical social worker registration is seventy-five dollars (\$75.00).

(g) The fee for associate clinical social worker extension is fifty dollars (\$50.00).

(h) For the period of January 1, 2001 through December 31, 2002, the biennial renewal fee for a marriage and family therapist is twenty-five dollars (\$25.00).

(i) For the period of January 1, 2001 through December 31, 2002, The biennial renewal fee for a licensed clinical social worker is twenty-five dollars (\$25.00).

(j) For the period of January 1, 2001 through December 31, 2002, The biennial renewal fee for a licensed educational psychologist is twenty-five dollars (\$25.00).

### **§1816.1. INITIAL LICENSE AND REGISTRATION FEES**

(a) On or after July 1, 1998, the fee for issuance of the initial marriage and family therapist license shall be one hundred thirty dollars (\$130.00).

(b) On or after July 1, 1998, the fee for issuance of the initial clinical social worker license shall be one hundred dollars (\$100.00).

(c) On or after July 1, 1998, the fee for issuance of the initial educational psychologist license shall be eighty dollars (\$80.00).

(d) The fee for issuance of the initial intern registration shall be seventy-five dollars (\$75.00).

(e) The fee for issuance of the initial associate clinical social worker registration shall be seventy-five dollars (\$75.00).

#### **§1816.2. WRITTEN EXAMINATION AND RE-EXAMINATION FEES**

(a) The examination and re-examination fee for the standard written examination of the licensed clinical social worker shall be one hundred dollars (\$100.00).

(b) The examination and re-examination fee for the written clinical vignette examination of the licensed clinical social worker shall be one hundred dollars (\$100.00).

(c) The examination and re-examination fee for the standard written examination of the marriage and family therapist shall be one hundred dollars (\$100.00).

(d) The examination and re-examination fee for the written clinical vignette examination of the marriage and family therapist shall be one hundred dollars (\$100.00).

(e) The examination and re-examination fee for the written examination of the licensed educational psychologist shall be one hundred dollars (\$100.00).

#### **§1816.3. EXAMINATION RESCORING FEES**

The fee for rescoring any marriage and family therapist, licensed clinical social worker, or licensed educational psychologist written examination shall be twenty dollars (\$20.00).

#### **§1816.4. EXAMINATION APPLICATION FEES**

(a) The examination application fee for the marriage and family therapist shall be one hundred dollars (\$100.00).

(b) The examination application fee for the licensed clinical social worker shall be one hundred dollars (\$100.00).

(c) The examination application fee for the licensed educational psychologist shall be one hundred dollars (\$100.00).

#### **§1816.5. REPLACEMENT AND CERTIFICATION FEES**

(a) The fee for issuance of any replacement registration, license, or certificate shall be twenty dollars (\$20.00).

(b) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25.00).

#### **§1816.6. INACTIVE LICENSE FEES**

(a) The fee for issuance of the inactive marriage and family therapist license shall be sixty-five dollars (\$65.00) except for the period of time in subsection (d).

(b) The fee for issuance of the inactive licensed clinical social worker license shall be fifty dollars (\$50.00) except for the period of time in subsection (e).

(c) The fee for issuance of the inactive licensed educational psychologist license shall be forty dollars (\$40.00) except for the period of time in subsection (f).

(d) For the period of January 1, 2001 through December 31, 2002, the fee for issuance of the inactive marriage and family therapist license shall be twelve dollars and fifty cents (\$12.50).

(e) For the period of January 1, 2001 through December 31, 2002, the fee for issuance of the inactive licensed clinical social worker license shall be twelve dollars and fifty cents (\$12.50).

(f) For the period of January 1, 2001 through December 31, 2002, the fee for issuance of the inactive licensed educational psychologist license shall be twelve dollars and fifty cents (\$12.50).

#### **§1816.7. DELINQUENT LICENSE FEES**

(a) The delinquency fee for the marriage and family therapist license shall be sixty-five dollars (\$65.00) except for the period of time in subsection (d).

(b) The delinquency fee for the licensed clinical social worker license shall be fifty dollars (\$50.00) except for the period of time in subsection (e).

(c) The delinquency fee for the licensed educational psychologist license shall be forty dollars (\$40.00) except for the period of time in subsection (f).

(d) For the period of January 1, 2001 through December 31, 2002, the delinquency fee for the marriage and family therapist license shall be twenty-five dollars (\$25.00).

(e) For the period of January 1, 2001 through December 31, 2002, the delinquency fee for the licensed clinical social worker license shall be twenty-five dollars (\$25.00).

(f) For the period of January 1, 2001 through December 31, 2002, the delinquency fee for the licensed educational psychologist license shall be twenty-five dollars (\$25.00).

#### **§1819.1. CONTINUING EDUCATION PROVIDER FEES**

The application fee for board approval as a continuing education provider is two hundred dollars (\$200.00). This fee also covers the issuance of the initial two-year continuing education provider approval.

# ATTACHMENT C

Agenda Item XIII.

**Current and Projected Fund Condition  
Analyses**

**Proposed Fee Revenue Analysis**



**BOARD OF BEHAVIORAL SCIENCES  
ANALYSIS OF PROPOSED FEE DECREASE**

**at CURRENT fee level**

		Actual	Estimated Workload									
	FEES	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<b><u>MFT</u></b>												
Initial License - MFT	\$130.00	908	926	945	964	983	1,003	1,023	1,043	1,064	1,085	1,107
Biennial Renewal	\$130.00	10,386	10,594	10,806	11,022	11,242	11,467	11,696	11,930	12,169	12,412	12,660
Inactive Renewal	\$65.00	2,302	2,348	2,395	2,443	2,492	2,542	2,592	2,644	2,697	2,751	2,806
<b><u>LCSW</u></b>												
Initial License - LCS	\$100.00	507	517	527	538	549	560	571	582	594	606	618
Biennial Renewal	\$100.00	6,255	6,380	6,508	6,638	6,771	6,906	7,044	7,185	7,329	7,475	7,625
Inactive Renewal	\$50.00	1,218	1,242	1,267	1,293	1,318	1,345	1,372	1,399	1,427	1,456	1,485
<b><u>LEP</u></b>												
Initial License - LEP	\$80.00	51	52	53	54	55	56	57	59	60	61	62
Biennial Renewal	\$80.00	749	764	779	795	811	827	843	860	878	895	913
Inactive Renewal	\$40.00	118	120	123	125	128	130	133	136	138	141	144

Note: Assumes a 2% increase in Workload.

**at CURRENT fees**

		Actual	Estimated Revenue									
	FEES	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<b><u>MFT</u></b>												
Initial License - MFT		\$ 118,040	\$ 120,401	\$ 122,809	\$ 125,265	\$ 127,770	\$ 130,326	\$ 132,932	\$ 135,591	\$ 138,303	\$ 141,069	\$ 143,890
Biennial Renewal		\$ 1,350,180	\$ 1,377,184	\$ 1,404,727	\$ 1,432,822	\$ 1,461,478	\$ 1,490,708	\$ 1,520,522	\$ 1,550,932	\$ 1,581,951	\$ 1,613,590	\$ 1,645,862
Inactive Renewal		\$ 149,630	\$ 152,623	\$ 155,675	\$ 158,789	\$ 161,964	\$ 165,204	\$ 168,508	\$ 171,878	\$ 175,315	\$ 178,822	\$ 182,398
<b><u>LCSW</u></b>												
Initial License - LCS		\$ 50,700	\$ 51,714	\$ 52,748	\$ 53,803	\$ 54,879	\$ 55,977	\$ 57,096	\$ 58,238	\$ 59,403	\$ 60,591	\$ 61,803
Biennial Renewal		\$ 625,500	\$ 638,010	\$ 650,770	\$ 663,786	\$ 677,061	\$ 690,603	\$ 704,415	\$ 718,503	\$ 732,873	\$ 747,530	\$ 762,481
Inactive Renewal		\$ 60,900	\$ 62,118	\$ 63,360	\$ 64,628	\$ 65,920	\$ 67,239	\$ 68,583	\$ 69,955	\$ 71,354	\$ 72,781	\$ 74,237
<b><u>LEP</u></b>												
Initial License - LEP		\$ 4,080	\$ 4,162	\$ 4,245	\$ 4,330	\$ 4,416	\$ 4,505	\$ 4,595	\$ 4,687	\$ 4,780	\$ 4,876	\$ 4,973
Biennial Renewal		\$ 59,920	\$ 61,118	\$ 62,341	\$ 63,588	\$ 64,859	\$ 66,157	\$ 67,480	\$ 68,829	\$ 70,206	\$ 71,610	\$ 73,042
Inactive Renewal		\$ 4,720	\$ 4,814	\$ 4,911	\$ 5,009	\$ 5,109	\$ 5,211	\$ 5,315	\$ 5,422	\$ 5,530	\$ 5,641	\$ 5,754
<b>REVENUE</b>		\$ 2,423,670	\$ 2,472,143	\$ 2,521,586	\$ 2,572,018	\$ 2,623,458	\$ 2,675,928	\$ 2,729,446	\$ 2,784,035	\$ 2,839,716	\$ 2,896,510	\$ 2,954,440

Fee Reduction - 10-years		Actual	Estimated Workload									
REVENUE CATEGORIES	FEES	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<b><u>MFT</u></b>												
Initial License - MFT	\$90.00	908	926	945	964	983	1,003	1,023	1,043	1,064	1,085	1,107
Biennial Renewal	\$90.00	10,386	10,594	10,806	11,022	11,242	11,467	11,696	11,930	12,169	12,412	12,660
Inactive Renewal	\$25.00	2,302	2,348	2,395	2,443	2,492	2,542	2,592	2,644	2,697	2,751	2,806
<b><u>LCSW</u></b>												
Initial License - LCS	\$60.00	507	517	527	538	549	560	571	582	594	606	618
Biennial Renewal	\$60.00	6,255	6,380	6,508	6,638	6,771	6,906	7,044	7,185	7,329	7,475	7,625
Inactive Renewal	\$10.00	1,218	1,242	1,267	1,293	1,318	1,345	1,372	1,399	1,427	1,456	1,485
<b><u>LEP</u></b>												
Initial License - LEP	\$40.00	51	52	53	54	55	56	57	59	60	61	62
Biennial Renewal	\$40.00	749	764	779	795	811	827	843	860	878	895	913
Inactive Renewal	\$0.00	118	120	123	125	128	130	133	136	138	141	144

Note: Assumes a 2% increase in Workload.

Fee Reduction - 10 years		Actual	Estimated Revenue									
REVENUE CATEGORIES		2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<b><u>MFT</u></b>												
Initial License - MFT			\$83,354	\$85,021	\$86,722	\$88,456	\$90,225	\$92,030	\$93,871	\$95,748	\$97,663	\$99,616
Biennial Renewal			\$953,435	\$972,503	\$991,954	\$1,011,793	\$1,032,028	\$1,052,669	\$1,073,722	\$1,095,197	\$1,117,101	\$1,139,443
Inactive Renewal			\$58,701	\$59,875	\$61,073	\$62,294	\$63,540	\$64,811	\$66,107	\$67,429	\$68,778	\$70,153
<b><u>LCSW</u></b>												
Initial License - LCS		\$	31,028	\$ 31,649	\$ 32,282	\$ 32,928	\$ 33,586	\$ 34,258	\$ 34,943	\$ 35,642	\$ 36,355	\$ 37,082
Biennial Renewal		\$	382,806	\$ 390,462	\$ 398,271	\$ 406,237	\$ 414,362	\$ 422,649	\$ 431,102	\$ 439,724	\$ 448,518	\$ 457,489
Inactive Renewal		\$	12,424	\$ 12,672	\$ 12,926	\$ 13,184	\$ 13,448	\$ 13,717	\$ 13,991	\$ 14,271	\$ 14,556	\$ 14,847
<b><u>LEP</u></b>												
Initial License - LEP		\$	2,081	\$ 2,122	\$ 2,165	\$ 2,208	\$ 2,252	\$ 2,297	\$ 2,343	\$ 2,390	\$ 2,438	\$ 2,487
Biennial Renewal		\$	30,559	\$ 31,170	\$ 31,794	\$ 32,430	\$ 33,078	\$ 33,740	\$ 34,415	\$ 35,103	\$ 35,805	\$ 36,521
Inactive Renewal		\$	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>REVENUE</b>		\$0	\$1,554,388	\$1,585,476	\$1,617,185	\$1,649,529	\$1,682,520	\$1,716,170	\$1,750,494	\$1,785,503	\$1,821,214	\$1,857,638
<b>Estimated Annual Revenue Decrease</b>			\$ 917,755	\$ 936,110	\$ 954,833	\$ 973,929	\$ 993,408	\$ 1,013,276	\$ 1,033,541	\$ 1,054,212	\$ 1,075,296	\$ 1,096,802

# BOARD OF BEHAVIORAL SCIENCE

## Analysis of Fund Condition (10- Year Gradual Fee Reduction)

	Actual 2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
BEGIN. RESERVE, JULY 1	3,008,000	4,090,000	5,368,000	5,084,965	4,784,748	4,470,489	4,141,745	3,798,064	3,438,979	3,064,010	2,672,668	2,264,446
PRIOR YEAR ADJUSTMENTS	184,000	47,000										
TOTAL ADJUSTED RESERVES	3,192,000	4,137,000	5,368,000	5,084,965	4,784,748	4,470,489	4,141,745	3,798,064	3,438,979	3,064,010	2,672,668	2,264,446
REVENUE												
Fees	4,984,000	5,286,000	5,391,720	5,499,554	5,609,545	5,721,736	5,836,171	5,952,895	6,071,952	6,193,391	6,317,259	6,443,605
Proposed Fee Reduction			-917,755	-936,110	-954,833	-973,929	-993,408	-1,013,276	-1,033,541	-1,054,212	-1,075,296	-1,096,802
Interest	92,000	205,000	111,000	101,699	95,695	89,410	82,835	75,961	68,780	61,280	53,453	45,289
Transfers-In (TEALE)	6,000											
TOTAL REV. AND TRANSFERS	5,082,000	5,491,000	4,584,965	4,665,143	4,750,408	4,837,217	4,925,598	5,015,580	5,107,191	5,200,459	5,295,416	5,392,091
TOTAL RESOURCES	8,274,000	9,628,000	9,952,965	9,750,108	9,535,156	9,307,706	9,067,344	8,813,644	8,546,169	8,264,470	7,968,084	7,656,537
EXPENDITURES												
Program Expenditures	4,184,000	4,260,000	4,868,000	4,965,360	5,064,667	5,165,961	5,269,280	5,374,665	5,482,159	5,591,802	5,703,638	5,817,711
Equity Claims (State Operations)	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL EXPENDITURES	4,184,000	4,260,000	4,868,000	4,965,360	5,064,667	5,165,961	5,269,280	5,374,665	5,482,159	5,591,802	5,703,638	5,817,711
RESERVE, JUNE 30	4,090,000	5,368,000	5,084,965	4,784,748	4,470,489	4,141,745	3,798,064	3,438,979	3,064,010	2,672,668	2,264,446	1,838,827
MONTHS IN RESERVE	11.5	13.2	12.3	11.3	10.4	9.4	8.5	7.5	6.6	5.6	4.7	3.8

### NOTES:

A. WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED (2%)

B. EXPENDITURE GROWTH PROJECTED AT 2% BEGINNING 06/07

# BOARD OF BEHAVIORAL SCIENCES ANALYSIS OF REVENUE FROM SURCHARGE

Actual Revenue from \$10 Surcharge To Date		Estimate		
		Actual Revenue	Actual Revenue	Actual Revenue
REVENUE CATEGORIES	FEES	2003/04	2004/05	2005/06
<b><u>MFT</u></b>				
Biennial Renewal	\$10.00	\$58,690	\$132,450	
<b><u>LCSW</u></b>				
Biennial Renewal	\$10.00	\$35,770	\$75,780	
Total Collected		\$94,460	\$208,230	\$210,000

Estimated Future Workload on Renewals		Estimated Workload									
REVENUE CATEGORIES		2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<b><u>MFT</u></b>											
Biennial Renewal		10,594	10,806	11,022	11,242	11,467	11,697	11,931	12,169	12,413	12,661
Inactive Renewal		2,348	2,395	2,443	2,492	2,542	2,592	2,644	2,697	2,751	2,806
<b><u>LCSW</u></b>											
Biennial Renewal		6,380	6,508	6,638	6,771	6,906	7,044	7,185	7,329	7,475	7,625
Inactive Renewal		1,242	1,267	1,292	1,318	1,344	1,371	1,399	1,427	1,455	1,484
<b><u>LEP</u></b>											
Biennial Renewal		749	764	779	795	811	827	843	860	878	895
Inactive Renewal		118	120	123	125	128	130	133	136	138	141

Note: Assumes a 2% increase in Workload.

**Estimated Future Revenue on \$10 Surcharge**

REVENUE CATEGORIES		FEES	Estimated Revenue									
			2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<u>MFT</u>												
Biennial Renewal	\$10.00	\$ 105,940	\$108,059	\$ 110,220	\$ 112,424	\$ 114,673	\$ 116,966	\$ 119,306	\$ 121,692	\$ 124,126	\$ 126,608	
Inactive Renewal	\$10.00	\$ 23,480	\$ 23,950	\$ 24,429	\$ 24,917	\$ 25,416	\$ 25,924	\$ 26,442	\$ 26,971	\$ 27,511	\$ 28,061	
<u>LCSW</u>												
Biennial Renewal	\$10.00	\$ 63,800	\$ 65,076	\$ 66,378	\$ 67,705	\$ 69,059	\$ 70,440	\$ 71,849	\$ 73,286	\$ 74,752	\$ 76,247	
Inactive Renewal	\$10.00	\$ 12,420	\$ 12,668	\$ 12,922	\$ 13,180	\$ 13,444	\$ 13,713	\$ 13,987	\$ 14,267	\$ 14,552	\$ 14,843	
REVENUE			\$205,640	\$209,753	\$213,948	\$218,227	\$222,591	\$227,043	\$231,584	\$236,216	\$240,940	\$245,759

**Estimated Future Revenue on Fee Reduction**

REVENUE CATEGORIES		FEES	Estimated Revenue									
			2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
<u>MFT</u>												
Biennial Renewal		\$40.00	\$ 423,760	\$ 432,235	\$ 440,880	\$ 449,698	\$ 458,691	\$ 467,865	\$ 477,223	\$ 486,767	\$ 496,502	\$ 506,432
Inactive Renewal		\$40.00	\$ 93,920	\$ 95,798	\$ 97,714	\$ 99,669	\$ 101,662	\$ 103,695	\$ 105,769	\$ 107,885	\$ 110,042	\$ 112,243
<u>LCSW</u>												
Biennial Renewal		\$40.00	\$ 255,200	\$ 260,304	\$ 265,510	\$ 270,820	\$ 276,237	\$ 281,761	\$ 287,397	\$ 293,145	\$ 299,007	\$ 304,988
Inactive Renewal		\$40.00	\$ 49,680	\$ 50,674	\$ 51,687	\$ 52,721	\$ 53,775	\$ 54,851	\$ 55,948	\$ 57,067	\$ 58,208	\$ 59,372
<u>LEP</u>												
Biennial Renewal		\$40.00	\$ 29,960	\$ 30,559	\$ 31,170	\$ 31,794	\$ 32,430	\$ 33,078	\$ 33,740	\$ 34,415	\$ 35,103	\$ 35,805
Inactive Renewal		\$40.00	4,720	4,814	4,911	5,009	5,109	5,211	5,315	5,422	5,530	5,641
REVENUE			\$857,240	\$874,385	\$891,872	\$909,710	\$927,904	\$946,462	\$965,391	\$984,699	\$1,004,393	\$1,024,481

**Estimated Surcharge Revenue**

Revenue Generated (to-date) from \$10 Surcharge \$512,690  
Projected Future Revenue from \$10 Surcharge \$2,251,701  
Projected Future Revenue From Fee Reduction \$9,386,539

**ESTIMATED FUTURE REVENUE FOR LOAN FUND** **\$12,150,929**